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Parents Get Children's Nature Study

By Ervin Knoll
Staff Reporter

Walker-Jones Elementary School conducted an unusual group on a field trip to the Rock Creek Park Nature Center yesterday—the principal, a few teachers, 42 parents and nary a pupil.

Yet the trip was closely linked to the education program of almost 400 kindergarten, junior primary and first grade youngsters enrolled in the school at 1st and L sts. nw.

It was part of a Ford Foundation-nanced "Intensive Language Arts Program" under way at seven downtown schools to overcome the language handicaps of children who live in slum neighborhoods.

The parents—mostly mothers, though a few fathers tagged along—did all the things their children will do when they visit the Nature Center on a school field trip next week.

They saw a 19-minute film and took notes while Park Service naturalists told of the wonders of Rock Creek Park. They jiggled the electric buttons which operate animal and plant quizzes in the center. They tapped the "ringing rock" and listened to the results.

They were captivated by the live animal exhibits, said they were "just amazed" by the industry of bees building hives and hiked a piece down the nature trail.

Behind it all, explained Principal Wilhelmina B. Thomas, was an effort to involve parents directly in the education of their children.

The field trip, she said, was designed to acquaint parents with some of the available community facilities, to stimulate parents to make use of these facilities and, especially, to give parents and children a common experience which they can discuss at home. There will be more field trips of the same type.

"Many of our children don't communicate well because they don't have anything to talk about—or anyone to talk to," Mrs. Thomas said.

Sylvia Shugrue, elementary science consultant at Walker-Jones, was grateful for the Ford Foundation grant which made the project possible. When children must pay their own fares, "I do well to get one group out for one field trip a year," she told a reporter.

To the parents, who wound up their tour with a brief but breathtaking demonstration of the Nature Center's planetarium, Miss Shugrue said:

"Right within your own group you have so much knowledge you can share with each other and with your children.

"You can help your child to understand the physical world if you will just explain the things around the house, and teach him to use his own senses to find out.

"You have a great contribution to make to the school, and you started by coming on this trip."



By Douglas Chevalier, Staff Photographer

National Capital Parks naturalist gives some facts on bees to three parents of Walker-Jones Elementary School students during a tour of the Rock Creek Park Nature Center. The mothers, from left, are Oletha F. Hanzer, Katherine Spencer and Shirley Butler. Yesterday's tour was to acquaint—and prepare—parents with a Ford Foundation-financed educational program in seven Washington schools.

JOB TRAINING LAG FOUND IN SCHOOLS

Survey by Jewish Women Sees Danger to Nation's Economic Potential

By IRVING SPIEGEL
Special to The New York Times.

PITTSBURGH, March 21—Obsolete methods and inadequate resources in public-school guidance and vocational training programs pose a "serious danger" to the nation's economic growth, according to a report today by the National Council of Jewish Women.

The report, based on interviews by council volunteers in the last year with hundreds of schools, industry, trade union and community agency personnel in fifty-eight cities, stressed that youngsters were not being adequately trained for the jobs the country would require them to do in the future.

The study was presented to more than 1,000 delegates attending the organization's biennial convention at the Pittsburgh Hilton Hotel.

At the same time, President Kennedy in lauding the council's social-action program, cited among the challenges facing the nation "the education and development of our children" and a "sound system of health insurance under the Social Security system." The President said that "the mark of civilized society is the manner in which it treats its elder citizens."

The council's study was critical of the lack of programs to prevent school drop-outs. It called attention to what it described as the insufficient and antiquated vocational-training methods in an age of automation.

Lack of Counselors Cited

The study asserted that in eleven of twelve communities whose youth-guidance facilities were analyzed only one guidance counselor was available for an average of 700 students. Except for a few cities, the report said, no program exists to prevent drop-outs or "to catch the warning signals early."

Children of minority groups were found to suffer most because of the lack of vocational guidance and opportunity. The report cited these reasons for the drop-outs: economic need, low achievement and social maladjustment.

The report stressed, however, that "people all over the country were at pains to explain that low achievement did not necessarily mean low ability, that it often meant discouragement because of membership in a minority group, frequently coupled with problems of low incomes and other social disadvantages."

The survey noted that always behind "recurring complaints about personnel, facilities, techniques that were used was budget."

All those interviewed, the study said, agreed on the need for coordination among schools, employment services, labor unions and industry "with the interest and support of the entire community behind them" to cope with these problems.

SCHOOL NEWS FROM AROUND THE COUNTRY

Porter new school board chairman in Louisville

LOUISVILLE, Ky. — Woodford R. Porter, a mortician, was elected chairman of the Louisville Board of Education last week. He has served on the five-man board since 1958 when he became the first colored member.

The fellow-member who nominated him for the presidency is L. Eugene Johnson. Ironically, Mr. Johnson is president of the Blue Boar Cafeteria chain which has been a frequent target of sit-downers.

Mr. Porter, 42, was unopposed. Mr. Johnson was elected vice-chairman thus succeeding Mr. Porter who had held that post since January.

The chairmanship became vacant when Scott Detrick filed for the Democratic nomination for sheriff and automatically forfeited the post.

* * *

A LOUISVILLE native, Mr. Porter is a Central High School graduate and attended Indiana University and the Kentucky School of Embalming. He resides at 4511 Greenwood St. with his wffe and five children.

Three daughters and a son attend Shawnee High School and another daughter is in elementary school.

Mr. Porter is general manager of the A. D. Porter and Sons Funeral Home. He is a board member of the Chestnut Street YMCA, a trustee of Broadway Temple AME Zion Church. He is member of the Masons, the Epicurean Club and the Kappa Alpha Psi Fraternity.

* * *

IN MEMPHIS, the Shelby County board of education elected Blair T. Hunt to membership. The Rev. Mr. Hunt, 72, is a retired school principal and a church pastor.

Students at Oklahoma City University voted two to one for John Arradondo to be president of the student senate. Arradondo is a sophomore physics major. Some 500 votes were cast.

Carroll College, Waukesha, Wis., also elected a colored student as head of the student senate. He is Howard Fuller, Milwaukee, a junior sociology major. Fuller will also be captain of the college basketball team next year.



WOODFORD R. PORTER

* * *

THE UNIVERSITY OF GEORGIA approved Miss Mary F. Early for graduate study in music by Dean Gerald Huff. Registrar Walter Danner said that final action might be only a formality in view of the graduate school okay but that it still could not be taken for granted.

Miss Early, a graduate of Clark College and a music teacher in Atlanta schools, wants to begin graduate study in music this summer.

The university reinstated two white students who were indicted for taking part in the riots attendant upon the January entrance of Miss Charlayne Hunter and Hamilton Holmes to the campus

Ernest P. Davis of Gainesville is back on campus attending classes. Tommy Cochran of Butler, however, is attending a junior college nearer his home.

* * *

IN ATLANTA, with one week gone of the 15 - day period to apply for transfer, some 300 colored pupils have taken the first step toward escaping jimcrow schools.

The city's plan is to allow colored pupils in the 11th and 12th grades to apply, during the period from May 1 to May 15, for transfer to schools which are presently all white.

Pupils seeking transfers come from all of Atlanta's five all-colored high schools.

Atlanta is under federal court order to desegregate in the fall. Under the city plan, the pupils must get numbered applications, sign receipts for them, fill them out and file them with the principals of the schools they now attend by May 15.

Then, they must be screened under a pupil placement plan. Colored leaders are eyeing the placement plan and asking if it is also applied to white transfer students.

Speaking of the involved procedure, D. L. Hollowell, attorney, said some colored persons think 'it is easier to go to Yale than to transfer from one public school to another in Atlanta."

* * *

IN WINSTON - SALEM, N.C., Trustees of Wake Forest College authorized the admission of colored pupils to the school of medicine, the law school and the new division of graduate studies.

They deferred action on a request from faculties of two undergraduate schools, that they also be allowed to admit colored students. The college is owned by Baptists.

* * *

IN TALLAHASSEE, ..a white student applied for admssion to Florida A. and M. University. He is from Michigan and visited his sister, Mrs. George E. McLeod, in Miami. She said:

"That's the most ridiculous thing I ever heard of. What's the matter with him?"

* * *

IN PHILADELPHIA, the board of education decided to transfer 100 or more pupils from the predominantly colored Pennell School to the predominantly white Kinsley School next fall.

The board changed school boundaries to permit the switch.

* * *

NEW YORK, will transfe 295 first - and second - grad ers to schools outside thei neighborhoods in the fall a part of the "open enroll ment" program.

In New Rochelle, N.Y., tw plans to desegregate th school system were submit ted to Federal Judge Irving R. Kaufman. The plans were presented by the board o education which is divided 6-3, on the issue.

The majority plan would restrict transfers from Lincoln school; the minority said the restriction nullifiec the plan.

* * *

IN LITTLE ROCK, Ark., 14 colored teachers were assigned to previously all white Rightsell School. The board plans to make the school all-colored in the fall.

* * *

THE SUPREME Court decision outlawing school desegregation will be celebrated May 20 in (of all places) Prince Edward County, Va. Schools there have been closed since 1959 after they were ordered desegregated.

The local NAACP is featuring Roy Wilkins in a program to be held on the courthouse steps.

Virginia's Senator Byrd said the Kennedy Administration is trying to set up federal domination of schools.

Citing the Justice Department's suit seeking to reopen Prince Edward Schools, Byrd said that next there would be "a bureaucratic decree to control such matters as textbooks, curricula, teachers, salaries, etc."

He said that if the aid-to-education bill is passed, the machinery for federal domination of public education in this country will be virtually complete."

Negro Is Elected To School Board

MEMPHIS, May 1 (AP)—Blair T. Hunt, retired Negro educator, today was elected to the Shelby County Board of Education. He is the first Negro to hold such a post in modern times.

Hunt, 72, former high school principal, received the votes of eight members of the nine-man court to lead the field of six candidates. Three whites were elected to fill the board's other vacancies.

To Princeton— Anonymous $35 Million

Special to the Herald Tribune

PRINCETON, N. J., Aug. 5. — Princeton University has received $35 million from "a group of anonymous donors" for its Woodrow Wilson School of Public and International Affairs.

Dr. Robert F. Goheen, university president, announcing the gift today, said it is larger than the total endowment of all but about thirty colleges in the nation and one of the largest ever received by an American university.



Herald Tribune photo by Joe Engels

Robert F. Goheen

The biggest on record is John D. Rockefeller sr.'s gift of $35 million in 1890 for the founding of the University of Chicago. He later increased the amount to $75 million.

The Princeton gift established an endowed foundation which will convert the Woodrow Wilson School into "a new and unprecedented professional school" with two purposes:

1. To prepare graduate students for careers in public service.

2. to provide facilities for government officials who want to gain a broader outlook on their jobs.

The university refused to reveal the identities of the donors, explaining that protection of anonymity was one of the conditions attached to the gift. Security has been so tight that the gift and plans for its use have been referred to in official conversations and documents as "Topic X."

"The magnificant action of the donors," Dr. Goheen said, "enables Princeton to do what it and other universities have long wished to do: establish professional education for the public service at a level of excellence comparable to the country's best schools of medicine and law.

"The donors wish to provide gifted students and government officials with the finest possible preparation for careers in the public service, with particular emphasis on foreign affairs. Their generosity challenges this university to measure up to their confidence that Princeton can do the job."

Princeton already has an enviable record in proucing government talent. For example, during the twenty-six-year administration, running from 1768 to 1794, of John Witherspoon as president of the university, Princeton produced a president (Madison), a vice-president (Aaron Burr), nine cabinet members, twenty-one Senators, thirty-nine representatives, three Supreme Cour Justices, twelve governors and thirty-nine judges.

That performance came in an era when there were few, if any, large gifts to the university. Things were so tight in 1750, four years after its founding, that Princeton's president Aaron Burr (father of the Vice-President) had to serve for three years without pay.

Later in its history, Princeton sent its president, Woodrow Wilson, to the White House. The school which bears his name was established in 1930 as a memorial both to him and to the tradition of Princeton in the nation's service."

Center Dedicated in '52

Woodrow Wilson Hall, the school's center, was dedicated in 1952 in ceremonies attended by the widow of the President.

Dr. Goheen said that specific plans for the use of the $35 million still were to be determined. But he indicated that graduate enrollments in the school would be increased from thirty to about. (Some Princeton undergraduates take their major studies at the school.) And he said new fellowships would be provided, the faculty enlarged and new facilities constructed.

A study committee headed by Prof. Gardner Patterson, the school's director, is preparing expansion plans and will submit them for faculty approval in the fall. The group, Dr. Goheen said, is exploring new teaching methods, curriculum patterns and whether to include on-the-job government experience in the new program.

Aim For Broad View

Dr. Robert W. van de Velde, executive secretary of the school, said that the program for government officials would be designed to "unspecialize the specialist."

"Given a chance to reflect, get a perspective and become up-dated on recent developments away from the daily routine," Dr. van de Velde said, "the government specialist will be able to take a broad view of problems and to mix his practicability with the theory of the young student."

The program for graduate students, he added, would "narrow the perspective of the wide-eyed college graduate to the hard challenge that confronts him."

Stick to Problems

The present school program leans hard on the conference method of teaching, an outgrowth of the Wilsonian idea of bringing outside, non-academic experts into the classrooms with the professor and the students. Such outsiders are used as participants in seminars, lectures or intensive interview sessions.

The method, Dr. van de Velde said, holds the student "to the grindstone of real problems" by encouraging him to seek a solution as well as comprehension of actual governmental situations.

A number of Woodrow Wilson School graduates hold high-level governments jobs. Among them are Ralph Dungan, special assistant to President Kennedy; William Buell jr., first secretary of the American Embassy in Poland; Werner Blumnethal, Deputy Assistant Secretary of State for Economic Affairs; Colgate Prentice, administrative assistant to Sen. John S. Cooper, R., Ky., and former assistant to Vice-President Nixon; Rufus B. Smith, counselor for economic affairs at the Embassy in India, and Aaron Brown, Ambassador to Nicaragua.

Two major research activities at the university—the Office of Population Research and the Center of International Studies—are directly associated with the school. And the school administers the Rockefeller Public Service Awards Program and the Parvin Fellows Program. It sponsors "The Public Opinion Quarterly" magazine.

Dr. Goheen, in his announcement, stressed that the anonymous gift will be kept separate from the university's general endowment and that it will not be considered as part of Princeton's current campaign for $53 million in capital gifts.

Unnamed Donor Gives Princeton $35 Million

PRINCETON, N. J., Aug. 5 (AP). — Princeton University announced today that it has received an anonymous gift of $35 million.

The money, said University President Robert F. Goheen, is for the establishment of a foundation for Princeton's Woodrow Wilson School of Public and International Affairs.

Dr. Goheen said the gift exceeds the total endowment of all but some 30 of the country's institutions of higher learning and ranks as one of the largest single gifts to an American university.

Dr. Goheen said the gift would enable Princeton "to do what it and other universities have long wished to do: Establish professional education for the public service at a level comparable to the country's best schools of medicine and law."

He said the graduate sector of the school would increase from about 30 to 100 students through the fund. New fellowships will be added and both faculty and physical facilities will be expanded.

The Wilson school, begun in 1930, is Princeton's memorial to its late president who became Governor of New Jersey and President of the United States.

The largest recorded contribution to an American university, according to Dr. Goheen, was made in 1890 by John D. Rockefeller. He set aside $35 million to found the University of Chicago, and several months later increased the grant to $7[illegible] million.

Schools and Colleges To Enroll 49.3 Million

Star Staff Writer

By JOHN ROSSON

The number of students in the Nation's schools—from kindergarten through college—will soar this fall to an all-time high of 49.3 million, the United States Office of Education says.

Included are both public and private institutions.

This is an increase of 1.4 million over the 1960-61 enrollment figure of 47.9 million, the office reported yesterday.

The figures for the coming term, which in most areas gets underway late this week or early next week, are based on increased by 1 million. This is anticipated enrollments and expected to result in substantial increases in college enrollplace the number of expected ments in the three years beginVirginia students at 868,000, ning in 1965."

some 20,000 more than last year; Maryland, 645,000, about 50,000 more than last year, and the District, 128,000, an estimated 6,000 more than were enrolled in 1960-61.

All But Two Up

In nearly all States, the anticipated enrollment will exceed last year's count, the office said. The exceptions are Arkansas and West Virginia, both expected to experience slight drops.

The Office of Education said anticipated enrollments in public and private schools from kindergarten through grade eight will reach 34.2 million, by far the largest segment of the Nation's student body. The figure represents an increase in the lower-grades enrollment of 400,000.

Enrollments in grades nine through 12 will reach 10.8 million, a jump of 700,000. The college-level count will reach the 4.3 million mark, an increase of some 300,000, the office said.

Office spokesmen explained that the rising enrollments at the kindergarten-grade eight level "are due chiefly to increased birth rates in recent years."

"Birth rates have advanced most years since 1945," they added, "and an earlier surge in the years 1940, 1941, 1942 and 1943 is now reflected in increasing college enrollments, particularly since 1959."

"Statisticians anticipate, however, that the first really sharp increase in college enrollments will come about 1965, when high school graduates born in 1946 apply for admission," the educators said.

"From 1945 to 1947 the average annual number of births

3 Per Cent More Teachers

The Office of Education also said that opening of the fall term this year will necessitate a Nation-wide teaching staff of 1.6 million classroom teachers. This would be a 3 per cent increase over the number employed in 1960-61.

In an accompanying report, the office said rising enrollments and higher prices for goods and services brought the cost of operating the Nation's public elementary and secondary school to a record $15.6 billion in the school year 1959-60, an increase of $2 billion over 1957-58.

It added, however, that capital outlay expenditures over the two-year period went down 7 per cent compared with two years earlier. Since most capital outlay funds go for new buildings, the report said many school districts caught up—temporarily — with classroom needs or simply did not have funds to begin new school construction.

The latter theory appeared to bear more authenticity since the report pointed out that the Nation's classroom shortage at the beginning of the 1960-61 school year was 142,000.

"This was virtually the same as it was at the beginning of the 1957-58 school year when the shortage was reported at 143,000," the study said.

Elementary Pupils Below Average in U.S.

By Carole Bowie

Staff Reporter

Test scores released yesterday indicate that while District high school students appear to be holding their own, large numbers of elementary school youngsters need better training in basic subjects.

In general, the greatest improvements are needed in remedial programs offered to slow-learning students—those who are too old for the grade they are in, School Supt. Carl F. Hansen said.

These students, he said, pose a "significant educational problem" in the District. The problem, which is common to other large cities, stems in part from a constantly shifting population bringing an increasingly large number of economically and culturally deprived students to the city.

Achievement tests administered to 2nd, 4th and 6th graders throughout the city last year show all groups lagging behind the national average score in all areas tested, he said. The weakest areas generally were reading and vocabulary, and the strongest was arithmetic.

Score Differences

The national scores, however, do not include students who are over-age for their grade level.

Over-age — or slow learning students made up 41 per cent of the 2nd graders tested, 27 per cent of the 4th graders and 43 per cent of the 6th graders. From 8000 to 10,000 students were tested in each grade.

If the over-age students are excluded, as they are in the national scores, the District's 2nd graders scored as well as their age peers in language arts and spelling, better in arithmetic and just below the national average in reading.

With the slow learners included, average scores for the second grade lagged five to 15 points below the average (50) or from two to five months behind the grade level in all areas. Average IQ scores were 92 for the whole group and 98 for the proper age students against a national score of 100.

Taking only proper aged 6th graders, scores at that level were above the average in spelling, language arts, and arithmetic computation, at the average in arithmetic problem solving and below average in reading, vocabulary and social studies.

Below Average

As a whole, 6th graders scored below the national average, as much as 20 points in reading, in every test except arithmetic computation where they reached the national norm. About 60 per cent of the proper age children scored in the average IQ range as opposed to 43 per cent of the total group.

District 6th graders scored only slightly below national norms in standardized tests given in 1959-60, showing steady improvement over a 5-year period since desegregation. School oficials made no comparison this year, however, because the 1960-61 students were given different tests.

While Hansen was "reasonably satisfied" with the 6th grade scores in view of the District's heterogeneous population, he termed the 4th graders' performance "disturbing." Even with over-age pupils excluded, the 4th graders averaged six months below the national norm in all tests.

As a whole, 4th grade scores fell eight months behind the national average, with a range of six months below in arithmetic computation to one year below in vocabulary. Proper age students average two months behind in arithmetic and lagged nine months in vocabulary.

High School Better

At the high school level, Hansen said, test scores "present a favorable picture" of students' achievement. But, he pointed out that the scores are from a more selected group of students since many slow learners drop out of secondary classes.

Throughout the secondary grades tested, 9th, 10th and 12th, students in the honors and college preparatory track programs scored well above national averages, while general and remedial track students scores lagged.

In junior high school, 9th grade pupils tested above the national average in all areas except "Reading in the Natural Sciences," which school officials feel may indicate a lack of science training rather than reading ability.

In the 10th grade, students scored three months below the national average in science reading and quantitative thinking and two months above in correctness of expression and social studies reading.

In the 12th grade, tests given to all four tracks produced results showing achievement equal to similar tests given last year with some improvement in several instances. Again, the honors and college preparatory tracks scored high, the general track below the norm in all but correctness of expression and the remedial

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AN EDUCATIONAL ANACHRONISM

U. S. Still Closing Schools For Harvest Season

BY WINFRED L. GODWIN
Director, Southern Regional Education Board

The Birmingham Atlanta

THERE WAS A TIME in America's history when the nation needed its people to man the plows, more than it needed them inside the classrooms.

Nevertheless, during those days the young democracy launched its big experiment to provide education for everybody. The school system that resulted showed the conflict between too little time and too much to do to build a nation.

School attendance was small; school terms were short; school days were crammed into hours between planting, harvesting and caring for livestock, and most formal schooling ended after only a few years.

Sun. 3-19-61

TODAY THE national picture is different. Classes are overcrowded; in most places the nation is being built in its cities instead of its farms and a completed college education is almost a general prerequisite for a job.

But still the education system has old customs hanging like an albatross around its neck.

DURING JUNE, July and August of every year school plants in nearly 40,000 districts are closed and standing idle. Millions of children and teachers in towns and cities throughout the nation have time on their hands.

The colleges and universities of the nation are operating at even a smaller per cent of capacity under the current nine-month school year, and the traditional system of class scheduling.

Philip H. Coombs, education program director of the Fund for the Advancement of Education, has said that "institutions use their available classrooms at only 46 per cent of capacity and their laboratories at only 38 per cent of capacity."

AS ONE POSSIBLE remedy for this situation, Dr. Grayson Kirk, president of Columbia University, has proposed nationwide year-round use of facilities in a "trimester system" which would allow a student to finish college in three years.

"Permitting educational plants to stand idle four months a year is indefensible in view of the severe shortage of facilities," Dr. Kirk said. "Delaying the opening of college until the last week in September is a custom stemming from the days when students had to help harvest the crops. There is no longer any excuse for it."

The trimester system, as proposed by Dr. Kirk, would increase a college's productivity by one-third without increasing enrollment. More important, the college president said, it will promote better student attitudes toward the serious business of acquiring an education.

UNDER THE SYSTEM, the calendar would be accommodated to a 45-week college year with a one week recess or more during each term for traditional holidays and a three-week Summer vacation. The schedule would look like this:

Fall term: Sept. 9 to Dec. 23. Christmas recess.

Winter term: Jan. 2 to April 24. Week recess for Easter.

Spring term: April 27 to Aug. 17. Week recess for the Fourth of July.

Summer vacation: Aug. 18 to Sept. 8. Three weeks.

There are objections to the plan—some of them legitimate, if they cannot be worked out in further planning.

Faculty members can be expected to object to the system because it interferes with their spare time for research. A new feature of the plan could satisfy that concern. In the trimester proposal they would be required to teach four terms every two years—the present arrangement. But they would be allowed to put two vacations back-to-back and get the equivalent of a sabbatical with pay every other year.

Though there is not a true trimester system in a Southern university, many of the region's institutions are working with full four-quarter plans and other programs which would provide for more complete use of facilities during the Summer. Most Summer courses at the moment are abbreviated periods of instruction offering a limited curriculum and attended by only a fraction of the student body.

THE UNIVERSITY of Tennessee Medical School has a quarter system which allows a student to complete four of the required 12 quarters during a calendar year. Students can enter the medical and dental programs during any one of the four quarters, and the school graduates doctors and dentists four times a year. Accordingly, with allowance for the compulsory review quarter which intervenes between the sixth and seventh quarters, the medical course may be completed within three calendar years and three months.

Southern universities must continue earnest research into their own policies to see what methods will enable the region to stretch its facilities around a student body which will number 1,384,000 by 1970.

New Schools Periled by Loan Ban

The Washington Post

Washington D.C.

Conferees' Action Raises Threat of Half-Day Shifts

Fri, 3-31-61

By Erwin Knoll
Staff Reporter

Refusal of House conferees to allow the District to borrow $5.7 million from the Federal Treasury for public building projects has raised the prospect of half-day sessions in junior high schools for the first time in a dozen years.

More split-shift schooling in elementary grades is also likely to result from forced cutbacks in scheduled school construction projects.

School building needs accounted for a substantial portion of the supplemental fund request which was turned down Wednesday by House participants in a joint Senate-House conference.

Extra $6 Million Refused

The denial of borrowing authority followed on the heels of the House Appropriation Committee's refusal to meet the supplemental public works request by adding $6 million to the Federal payment to the District.

School officials do not yet know how much of the fund cutback they will be called on to absorb. But they received the word from the District Building yesterday that they should start assigning priorities to building projects scheduled for the remaining months of fiscal 1962.

This will not be easy to do.

"There is nothing in there that isn't urgently needed," said John M. Riecks, assistant school superintendent in charge of buildings and grounds.

Funds Allocated

Funds for two of the items on the fiscal 1961 list—construction of the new Backus Junior High School and plans for an elementary school to be located at 11th and Clifton sts. nw.—have already been allocated.

Projects which may have to be deferred include two new elementary schools and two school additions. Postponement of these may, in turn, require deletions from the 8.1-million-dollar school construction program for fiscal 1962.

"Every one of our 1962 items could be placed in jeopardy," said School Superintendent Carl F. Hansen.

Among these items are a 1.2-million-dollar addition to Eliot Jnior High School, 18th and B sts. ne., and the new 2.7-million-dollar Evans Junior High, 5600 E. Capitol st.

Delaying the Eliot addition would mean assigning more junior high pupils to classes at nearby Eastern Senior High.

Even this solution, regarded as unsatisfactory by school officials, would be unavailable if the Evans project were postponed. No nearby school space is available.

SCHOOLS SEEK END OF POOR READING

The New York Times

Thurs, 3-30-61

Program, Including TV, Is Expected to Reach 6,000 and Add Supervisors

By ROBERT H. TERTE

A comprehensive attack on reading problems has been started in the city's elementary schools.

The main attack is to be the problem of inadequately prepared teachers. Dr. John B. King, head of the elementary school division, announced yesterday at Board of Education headquarters, 110 Livingston Street, Brooklyn.

Dr. King noted that many graduates of teachers colleges had never been taught how to teach reading. Because of the tremendous turnover of teachers in the elementary schools, he said, principals are unable to provide enough supervision to develop as rapidly as needed the techniques required for teaching reading.

Aspects of the Program

The new program calls for a major expansion of in-service training programs, including a city-wide television series for next fall that Dr. King hopes will reach 6,000 teachers. Special courses are to be offered for supervisors so that they can help the 2,000 newly licensed elementary school teachers who enter the system yearly.

Amendments to the Board of Education by-laws have been proposed to require candidates for assistant principal to have special training in the teaching of reading. They also would require similar training for teachers seeking to qualify for salary increases based on graduate study.

Dr. King said the 500 additional special reading teachers requested in the Board of Education's 1961-62 budget would be an important part of the program. At present there are 211 special reading teachers for the 573,608 pupils in the city's 592 elementary schools.

The special teachers will emphasize the development of reading skills at all levels, especially the early grades, Dr. King said.

"We are trying to prevent troubles before they start by concentrating on the kindergarten through the third grade," he said. "If you don't solve reading problems by the third grade you are in serious trouble. Reading failure in the early grades often leads to emotional difficulties that are difficult to remedy in the later grades."

For Bright Children, Too

Dr. King emphasized that the program was as much concerned with the bright child as with any other pupil who was behind in reading.

schools there will be pilot projects next fall to determine whether afternoon kindergarten classes should be lengthened from two hours to three, and first-grade classes from four hours to five. An effort also will be made to determine whether children on short sessions be-

Other Projects Planned

In another move for better cause of overcrowded schools

MANY FAULTILY TRAINE

benefit more by having full sessions in second and third grade rather than in the higher grades.

Studies are continuing in new methods of teaching reading, including the use of filmstrips, reading accelerators and special phonetic devices. Present methods of instruction seek to combine the best features of all generally accepted teaching techniques.

The schools also are planning to make wider use of parent volunteers through the program of the Public Education Association. Although such volunteers are not permitted to teach reading, they have been found effective in reading stories to the children, listening as pupils read and, helping to broaden backgrounds.

Classmates' Paddling of Boy Probed

FRESNO, Calif., April 15 (AP)—The Fresno School Board is investigating charges by an eighth grade boy's parents that he was swatted once with a paddle by each of 30 classmates as a disciplinary measure.

Mr. and Mrs. Robert Dunn Friday accused Robert W. Pengilly, 37, the boy's teacher, of unprofessional conduct. That is ground for firing under the state education code.

They said their 13-year-old son, Bill, was left black and blue by the paddling April 7 at Wawona Junior High School.

Pengilly said in a statement to the board that he has had a long history of discipline problems with the boy.

The Dunns said they were never informed their son was a behavior broblem.

Classmates said Bill was a behavior problem and had been warned several times. They recalled from two to six hard swats by classmates.

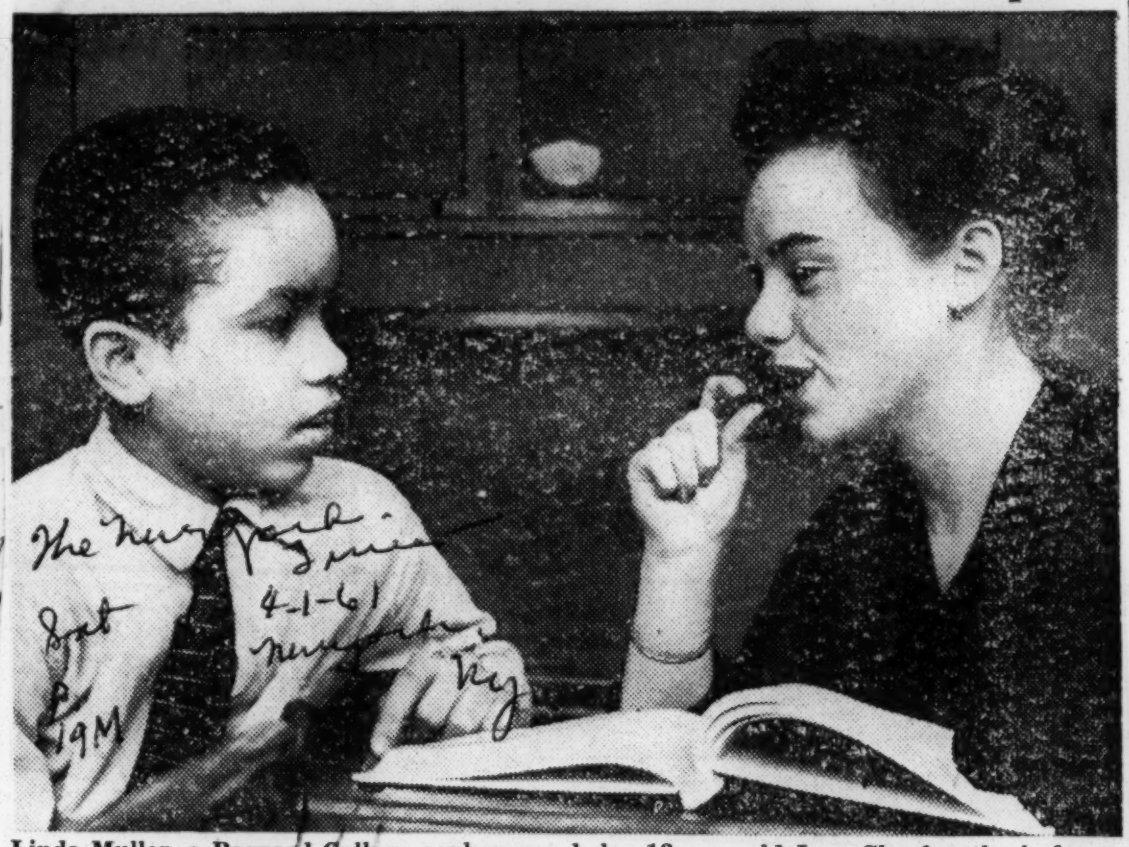
"I don't think Mr. Pengilly thought it would go that far or that the kids would hit that hard," said one pupil.

Pengilly said Bill, after the paddling, was quiet and attentive "for the first time I can remember all year."

He said the pupils were not forced to swat the boy and some passed up the opportunity.

Erwin A. Dann, assistant superintendent of education for secondary schools, said the action violates the system's policy on corporal punishment.

Students Act as 'Assistant Teachers' for Pupils



Linda Muller, a Barnard College sophomore, helps 13-year-old Jean-Claude, who is from Haiti, with his study of English. Miss Muller is one of a group of students who assist in the Board of Education's Higher Horizons program. Students serve during school day.



The New York Times (by Edward Hausner)

Joseph Scheibeler, an engineering student at Columbia, discusses construction of a model rocket with Venturo Leak, another pupil at Junior High School 43, at 129th Street and Amsterdam Avenue. The boy is 13 years old.

COLLEGIANS HERE AIDING TEACHERS

Tutors From Barnard and Columbia Helping Out at Neighboring Schools

By ROBERT H. TERTE

Students from Columbia and Barnard are taking time from their studies to help pupils in near-by elementary and junior high schools.

Forty undergraduates are working as "assistant teachers" in seven schools where the Board of Education, through its Higher Horizons program, is attempting to raise the educational goals of children from underprivileged areas.

The students spend an average of half a day each week working under the supervision of regular classroom teachers. The program, which got under way last fall, is being tested in School Districts 10 and 11, including the area from river to river between 110th and 130th Streets.

Mrs. Elso Voss, Higher Horizons coordinator for the two districts, initiated the program with the assistance of the Columbia College Citizenship Council. More than 150 students at the two colleges volunteered, but conflicting class schedules have limited placement.

"Having the pupils of the school rub elbows with college students gives them a chance to learn that college students are not so different," Mrs. Voss said.

Daniel Schreiber, coordinator of the Higher Horizons program for the Board of Education, said the volunteer program had been so successful it might be extended with the cooperation of students from other colleges and universities.

Mrs. Voss said most of the volunteers were liberal arts students who were not necessarily planning careers in teaching.

Linda Muller, a 19-year-old Barnard sophomore, is tutoring a 13-year-old Haitian boy in English at Junior High School 43, 129th Street and Amsterdam Avenue. Miss Muller says the boy, who has been in this country seven months, already speaks English almost as well as she does his native French.

In another class, Antonio Mogro-Campero, a 20-year-old Bolivian engineering student, is helping language pupils with Spanish pronunciation.

A 15-year-old girl in a special class for students who are behind in their work said she liked school this year "because they explain to me."

The teacher's helpers are identical twins, Richard and Barry Zamoff, 20.

Seymour Packman, an 18-year-old zoology major, will soon be starting an advanced section for pupils who have a special interest in science. "I enjoy working with the kids," he said.

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What Is A 'Bright' Student?

What to do with gifted students is still being debated and will continue to be for years.

Most of the proposals have been discussed here from time to time, as well as the reply of some educators that to isolate the good students to themselves would create a class of intellectual snobs, which is undemocratic, they say.

The latter was the objection raised in Texas the other day by Robert W. Eaves, executive secretary of the National Education Association's Department of Elementary School Principals. Segregating eggheads from average and below-average students is a danger for democracy, Eaves said: "Why not let the strong help the weak in the classroom?"

At the other pole is Admiral Rickover's school of thought, which holds that the strong should be encouraged and pulled ahead, the weak allowed to wallow in their own stupidity.

The controversy seems blurred by such words as "weak" and "strong." By strong, some contenders mean those with a high IQ—a very poor yardstick of total ability and creativity. To others it means those assiduous apes who conscientiously memorize every lesson they're told to without any real grasp of the subject or any useful recollection of it after the next exam.

Before anything beneficial can come of the whole dispute, the debaters should pause and define terms. That student now stigmatized as a dull tool may have the makings of a good, though plodding, nuclear physicist in him; and the bright boy may turn out to be a crafty politician.

Except in rare cases, talent, ability and future potential are all but impossible to measure by present techniques, tests and grading systems.

But before arriving at any qualitative standard for measuring students, it must first be decided what the goal of education should be: to surpass Russia in chemists and physicists, to beat France in the arts, or to mass-produce a fairly well educated group of men and women?

There are inherent dangers in overemphasis in any direction and the reasonable person may be as apprehensive of Rickover's elite as Eaves' calculated leveling.

In the long pull, it may prove wiser in terms of the kind of society we want for schools to continue to muddle through much as they have, some by this approach, some by that. After all, one antonym for "haphazard" is "regiment" and Rickover has already gone so far as to propose uniforms for all students.

Degree Mills

You May Know Someone, Lawyer Or Teacher, Who Is Phony

Director Winfred L. Godwin Of Southern Regional Educational Board

IT could be that there is a bogus lawyer in your town practicing under cover of an LL.B degree which cost him $200 cash or $238 on terms. Or you might have run into a local "professor" who won his doctorate in a correspondence course for the standard fee of $500.

Innocent of deception these people may be—but not usually. They are the products of a severe blight on the American educational system—the degree mill. Arthur S. Flemming, former secretary of health, education and welfare, defined the degree mill this way:

"It is an organization that awards degrees without requiring its students to meet educational standards for such degrees established and traditionally followed by reputable educational institutions. A degree mill either receives fees from its so-called students on the basis of fraudulent misrepresentations, or it makes it possible for the recipients of its degrees to perpetrate a fraud on the public."

One degree mill law school embraces an unusual philosophy of education as it is recorded in an initial list of degree mills prepared by the U.S. Office of Education in 1960. Regarding entrance requirements, the school says, "You don't need a college education in order to study law! You don't even need grammar school! . . . law is the one subject—on the university level—that a man or woman can successfully undertake without previous schooling!" Send $200.

SOUTHERN MILLS

The Southern states have their degree mills, too, according to the Office of Education report. In a Southeastern state one outfit offers a Ps.D. (doctor of psychology), an Ms.D. (doctor of metaphysics) and other degrees for the "purpose of teaching philosophy, psychology, metaphysics, and Bible, all of which are taught by metaphysics and/or scientific truth . . ."

For $25, a "university" in a Southwestern state, also listed by the U.S. Office as a degree mill, offers a bachelor of arts degree for anyone taking, by long distance, 36 courses in the arts and sciences.

"These degree mills undermine the reputation of American education both at home and abroad and create hostility toward this country on the part of their overseas victims. It is likewise clear that they work an injustice on the individuals who are deceived by their claims," said former Secretary Flemming.

The U.S. Office of Education reports that 11 of these degree mills are active abroad. Six have granted degrees in India, Pakistan, Taiwan, Lebanon, Iran, Germany, Hong Kong, and the Union of South Africa.

In an effort to combat the phony institutions, the Council of State Governments in 1960 proposed legislation which would discourage the existence of degree mills without threatening the American constitutional right of freedom for academic inquiry and study.

PROPOSED LAWS

The suggested legislation requires schools offering degrees to meet certain standards, which in effect, take the profit out of providing degrees. Under the act, the granting of a degree would require that an educational institution provide a minimum amount of resident instruction or satisfy special requirements for correspondence instruction.

The act would also require that an educational institution make its degree programs known to the state education agency which would approve them as to accuracy of program descriptions unless the institution is approved by an accrediting agency recognized under this act by the state education agency.

By November of 1960, apparently no state had yet adopted the legislation suggested by the council for control of these institutions, in which case active degree mills are currently operating in nine states, offering a variety of degrees at prices known to range from donations to $500.

Until legislative action can be taken to protect the public and the educational system from these institutions, only an alerted, watchful public can protect itself.

A list of names and addresses of degree mills in all states can be obtained from the U.S. Office of Education, Department of Health, Eduton, D. C.

Court Upholds Bible Reading in Schools

Decision highlights . . 12B

By PHIL MEYER
Herald Education Writer

Daily Bible reading in the public schools does not violate either the federal or state constitutions, and the practice may continue in Dade County, Circuit Judge J. Fritz Gordon ruled Saturday.

But three other practices amount to religious teaching on school property and will be barred by court order, he said.

In a detailed, 18-page opinion, Judge Gordon said he will enjoin the Dade School Board in these ways:

AFTER-SCHOOL BIBLE COURSES in the schools will not be permitted.

RELIGIOUS HOLIDAY OBSERVANCES depicting the birth or crucifixion of Christ may not be held.

MOVIES which "depict various religious happenings" may not be shown.

All other practices at issue in the bitterly-contested case, including baccalaureate programs, display of religious symbols, and recitation of the Lord's Prayer, were upheld.

The opinion upheld the 30-year-old state law requiring the Bible to be read daily in public schools. However, Judge Gordon made clear that it was being upheld in view of the school board policy of excusing students from the reading on request.

Attorneys for the five parents who had challenged the practices on constitutional ground said they would appeal to the Florida Supreme Court.

"I think it has been apparent to all counsel in this case that regardless of the opinion, this case would of necessity be appealed," said Bernard Mandler, representing three Jewish parents and one Unitarian. "So that rather than this being the end, it is more like the beginning."

In his written opinion, Judge Gordon said he based part of his decision on the finding that the daily Bible readings required by state law do not amount to religious instruction.

The Bible contains "expressions or wording that we all use every day, such as 'Thou shalt not kill,'" he said.

"In almost every creed, religion or belief, the words of the Golden Rule are a way of life by which we should live if we are to exist peaceably."

However, he suggested that "the Golden Rule should be observed by those selecting verses from the Bible to read so that the Old Testament when agreeable would be used, and only verses not highly controversial would be read, in order not to offend any student or his parent."

Judge Gordon rejected the plaintiffs' argument that children were placed under "psychological compulsion" to hear the Bible read, even though they could ask to be excused.

School officials had handled such requests so that "no embarrassment was caused the students," he said.

Howard Dixon, representing Harlow Chamberlin, the lone agnostic in the case, said the appeal would be based in part on Judge Gordon's refusal to hear expert testimony on the psychological compulsion issue.

"The necessity for exact testimony as to the degree of psychological compulsion is a very important part of our case," he said.

Judge Gordon hinted in his opinion that teachers should avoid identifying the daily readings as coming from the Bible.

"There is nothing in the Florida law that requires that the student be told that it is a quote from the Bible or that the student should be told from what book or verse the quotation was taken," he said.

"If so, it might be considered sectarian comment, which is forbidden by the statute, and the court is not passing on that point of law."

In deciding to bar after-school Bible classes, Judge Gordon followed a Florida Supreme Court decision that such a practice was legal on a temporary basis, but should not be



Judge J. F. Gordon

. . . issues ruling

"abused to the point that it could be construed as a contribution of public funds in aid of a particular religious group."

Use of Dade school buildings by the Child Evangelism Fellowship has appeared to be "a continuing and permanent arrangement . . . and should be enjoined," Judge Gordon said.

Singing of religious hymns and recitation of the Lord's Prayer is not compulsory and may continue, he said.

He refused to ban the display of religious symbols because this would "be to hold that children could not wear and display such symbols in school, such as a piece of jewelry."

Baccalaureate programs were upheld because they are held after school hours, attendance is optional, and there was no evidence that the speakers engaged in religious teaching.

If there was evidence of such teachings, they would have been enjoined, he said.

On the question of religious tests for teachers, Judge Gordon ruled that the issue could not involve the constitutional rights of the pupils. "It might be considered if one of the plaintiffs were a teacher," he said.

The plaintiffs had also objected to a school policy permitting the distribution of Bibles in the schools by religious sects. Judge Gordon said no Bibles had been distributed since the policy was enacted in 1956, and no injunction was necessary.

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Parents Legally Withdraw Children From Roanoke Elementary School

The Washington Post 1-4-B

Washington D.C.

ROANOKE, Va., Jan. 10 (AP)—A Roanoke mother and father have legally withdrawn their two children from the city school system.

Mr. and Mrs. Earl Cash say neither Oakland Elementary, where the boy and girl enrolled, nor any other Roanoke public school, offers the education they want for them.

The schools teach "sloppy thinking" and "socialism," says Mrs. Cash.

So, two months ago, taking advantage of Roanoke's toothless attendance law, she withdrew her 8-year-old daughter and 9-year-old son from the school.

Mrs. Cash and her husband, both graduates of the Medical College of Virginia, formally notified the city school board of the withdrawal on Dec. 5.

"The receipt of our (withdrawal) affidavit was never acknowledged," said Mrs. Cash. "My faith in public education has been taken from me."

"I wholeheartedly approve of the right kind of education. I want a moral atmosphere for my children."

Voices Criticism

Mrs. Cash said "most of today's teachers are sincere" but so poorly prepared for their profession by teachers' colleges that they have little to teach. She said teachers haven't time to teach partly because administrators make them spend their days "doing things like selling insurance." She said today's school tears down a child's character and undermines the parents' influence.

She talked about her admittedly extreme step in quiet, often eloquent language charged with emotion.

She said she was worried about the effect withdrawal was having on her children. "Of course they miss their friends."

But she is not basically perturbed about the decision. "We stand alone because we are right.

"My children understand. They are happy as larks. They are doing fine . . . learning is normal. The child has a healthy curiosity. A teacher is like a gardener who tries to keep out the weeds. Learning is not unnatural, you know."

PRIVATE SCHOOLS LIFT ENROLLMENT

N. Y. Times

Survey Shows Students Up 2.27%—Junior Colleges Make Largest Gain

New York, N.Y.

Enrollment in the nation's private schools set a record last year, according to all available indications.

A survey of 348 member schools made by the National Council of Independent Schools showed that these schools recorded a 2.27 per cent increase in students last fall.

The increase might have been greater, the council noted, were it not for the fact that "so many schools have been filled to capacity for several years."

A similar finding was reported recently by the education department of N. W. Ayer & Sons, a Philadelphia agency, which handles advertising and promotion for 325 private schools and camps throughout the country.

The annual Ayer survey, which last year covered 196 United States boarding schools and junior colleges, found that nearly two-thirds had capacity enrollments of residential students. An additional 16 per cent reported near-capacity use of boarding facilities.

The survey brought out that 108 of the participating schools and junior colleges had more boarders for this school year than last, with the increases ranging from one student to 173. All told, the participating institutions had an enrollment increase of 2.4 per cent above the 1959-60 level.

Junior colleges had the biggest student gain—an average increase of 10 per cent. But these two-year institutions, along with coeducational preparatory schools, are best able to accommodate additional boarders, the agency said. Boys' schools led the Ayer list in near-capacity enrollments, continuing a trend that became evident in 1958.

In the council's survey the biggest proportionate enrollment increase—a gain of 5.9 per cent—was experienced by the coeducational day elementary schools. Coeducational day schools with secondary programs had a gain of 2.6 per cent.

Boarding schools, where the enrollment is limited by the number of residential accommodations, were able to increase their enrollment by "only a hair over 1 per cent," the council said.

"Catholic schools and military schools, after showing a slight loss [for the few schools represented], got back into the 'gain' column," the council noted.

The enrollment picture for all schools in the council's survey was as follows:

Schools.	1960-61 Enrollment.	% Gain Over 1959-60.
78 girls' day	25,201	1.8%
28 girls' boarding	5,269	...
62 boys' day	22,926	2.3
32 co-ed day elementary	23,663	2.6
65 boys' boarding	16,126	2.2
32 co-ed day elementary	8,197	5.9
17 co-ed	3,616	0.5
15 military	5,669	1.4
7 Catholic	4,602	1.0
Total	115,269	*2.27%

*Average.

U.S. Schools Enroll 46 Million; 52% Rise Cited Over 10 Years

New York Times 1-15-61

New York

Enrollment in United States schools and colleges last fall was 46,259,000, according to the Bureau of the Census.

The total ten years earlier was 30,276,000. The increase was 52.8 per cent. The Census Bureau, in announcing its survey, said the inclusion of Alaska and Hawaii in the 1960 statistics accounted for about 250,000 students and caused little distortion in the comparative statistics.

Ltr 1-18-61

The figures showed that the greatest rate of increase was in kindergartens. In October, 1960, there were 2,092,000 in kindergartens compared with 902,000 in October, 1950. That is a ten-year increase of 131.9 per cent.

P 1-B

Elementary school enrollment rose in ten years to 30,349,000 from 20,504,000 for an increase of 48 per cent. High school enrollment rose to 10,249,000 from 6,656,000, an increase of 54 per cent. Students at colleges, universities and professonal schools increased 61.2 per cent from 2,214,000 in 1950 to 3,570,000 in October, 1960.

Not only were striking increases recorded in numbers of persons attending schools, but also a significant increase was shown in the last five years in the proportion of the total population in classrooms.

In the whole age span from 5 to 34, persons attending school last October constituted 56.4 per cent of the total civilian noninstitutional population in that age bracket. In October, 1955, the percentage was 50.8.

A breakdown by age groups showed that the highest proportion of school attendance was in the 7 to 13-year-old bracket with 99.5 per cent attending school last October compared with 99.2 per cent five years earlier. The enrollment totals were 25,621,000 last October against 21,028,000 in 1955.

The junior college age levels, 18 and 19 years, showed the greatest rise in percentage points. Attendance rose from 1,232,000 or 31.5 per cent of the population in that age bracket in October, 1955, to 1,817,000 or 38.4 per cent of those 18 and 19 in October, 1960.

The proportion of the increase in the last half decade was greatest at post-graduate age levels, reaching 50 per cent in the 30 to 34-year-old bracket. School attendance in this bracket rose from 192,000 or 1.6 per cent of the population in 1955 to 278,000 or 2.4 per cent of the population in 1960.

In the 25 to 29-year-old bracket nearly one person in twenty was in school last fall. The total last October in this bracket was 514,000 or 4.9 per cent of the population compared with 475,000 or 4.2 per cent in 1955.

Tuitions Provide Only Fifth Of Colleges' Operating Funds

The Montgomery Advertiser

Montgomery Ala

U. S. colleges have raised their tuition charges sharply in recent years. But they still get only one-fifth of their operating income from this source.

Dec 22-61

It costs nearly $5 billion a year to operate the nation's 2,000 institutions of higher education, with the present enrollment of 3,610,000 students.

P 7-A

A nationwide survey by the U.S. Office of Education discloses that approximately $1 billion of this bill is paid by the students themselves — or their families — in the form of tuition and fees.

The 20 per cent figure is an average for all types of colleges. Public institutions get only 10 per cent of their income from tuition, while private institutions get about 33 per cent.

Income from auxiliary enterprises such as dormitories, dining halls, book stores and student hospitals, account for 19 per cent of the current funds of private institutions, and 17 per cent of the expenses of public institutions.

Appropriations by state legislature are by far the largest source of funds for public colleges and universities, amounting to 43 per cent of the total. Private schools, of course, receive little from this source. To make ends meet, they must depend on gifts from alumni, corporations and philanthropists and grants from foundations. Together these sources provide 7 per cent of their total current income.

MINOR SOURCE

Contrary to popular belief, endowment earnings are not an important source of income for colleges. Less than four per cent of all private school income comes from endowment earnings, and this is heavily concentrated in about 50 favored institutions.

One rather surprising disclosure of the survey was the important role already being played by the federal government in financing higher education. Both public and private institutions receive about 15 per cent of their income from federal funds, predominatly in the form of research contracts and grants.

If college enrollments climb throughout the 1960s as population projections clearly indicate they will, the annual operating cost of the nation's system of higher education will reach at least $10 billion by 1970.

That sounds like a lot of money, but it actually represents only 1.7 per cent of the estimated gross national product in 1970. Russia is already spending at least 3 per cent of its gross national product on higher education.

There's no question that the United States, as a nation, can easily afford $10 billion a year for higher education. The real question is: Exactly where is the money coming from?

ENCOUNTER RESISTANCE

Colleges are encountering resistance to further substantial increases in tuition. But even if their fees are stabilized at roughly the present level, increased enrollment will bring income from this source up to about $2 billion a year by 1970. Income from dormitories, dining halls and other auxiliary enterprises can also be expected to double.

But that still leaves upwards of $6 billion a year to be raised from other quarters.

Public institutions will look to state legislatures for larger annual appropriations.

Private institutions will require much more generous support from their alumni, from corporations and other private sources.

There is plenty of room for frowth in this area. Only one college alumnus in five is now contributing to his alma mater's need for funds, according to the American Alumni Council, and the average contribution to alumni annual funds is only $32.86 per donor.

Corporate giving to colleges has increased in recent years from an annual rate of $40 million in 1953 to about $150 million in 1958-59. But the Council for Financial Aid to Education says that only 25,000 corporations are now contributing to the institutions on which they rely for trained manpower. Council officials believe that at least 100,000 corporations can and should be induced to contribute to higher education.

PRIVATE SCHOOL HAS ADVANTAGE

Educators Say State May Profit from Type

By PAUL WOOTON
(Times-Picayune Staff Correspondent)

WASHINGTON, D. C. — Since the ninth century private schools have contributed importantly to education in the United Kingdom. While those schools draw most of their pupils from families who can afford the expense involved, students from the free government schools who win scholarships are transferred to private schools with the government paying the fee. This adds many exceptional minds to the private school student body.

The schools in the United Kingdom, which are operated privately and are financed by tuition and other fees, as well as by endowments, attract exceptional pupils. A high percentage of England's great have been products of private schools.

Private schools must do a good educational job if they are to survive. They keep classes small so that each pupil is assured of individual attention. Pupils that do not make good grades are dismissed.

The private schools are in a position to be independent. They are beholden to no state or federal official. They can select the text books they choose. They do not have to follow a prescribed curriculum. They can prescribe entrance examinations that indicate whether the pupil is likely to make the grade. Later they can drop any pupil who does not measure up. The monolithic character of public schools is avoided.

The pupil-teacher ratio in private schools averages 10 to 1. This is a feature which practically all private schools emphasize. Teachers who have time for intimate contact with individual pupils help not only with educational problems but by example influence the pupil in other ways. Since private schools have to keep solvent, teachers are carefully selected, not only on the basis of an examination or the number of degrees they hold, but on their personalities and their ability to get the best out of each of the pupils in their classes as well. In many cases their salaries are much higher. In independent schools there need be no restrictions on religious instruction and reading of the Bible. Student selection can be limited to those likely to be congenial. More emphasis is put on study habits and respect for sound and hard learning. No deadwood is carried in high grade private schools.

In the opinion of educators here Louisiana will profit in the long run by encouraging the establishment of independent schools. They carry out the idea of American free enterprise. They make possible freedom of choice. Parents can choose schools catering to the intellectual level of their child and where the contacts are most likely to be agreeable.

3 PRIVATE SCHOOLS HELP PUBLIC ONES

Advanced Study Offered to Gifted Youths in Summer Classes in New England

By JOHN H. FENTON
Special to The New York Times.

CONCORD, N. H., Feb. 11—A desire to help the gifted student in public secondary schools is changing the pattern of summer sessions in some private boarding schools in New England.

Usually the summer courses are primarily aimed at "bone feeding" the schools' own academic-year laggards. Now, however, the boarding schools are swinging toward offering advanced summer-session studies that are designed to fill gaps in public-school curriculum.

The idea originated three years ago with the Rev. Dr. Matthew Madison Warren, rector of St. Paul's School here. Phillips Academy of Andover, Mass., followed suit last summer. And Mount Hermon School at Northfield, Mass., will begin offering advanced courses in June.

All three schools have the common objective of offering advanced work.

St. Paul's School, established in 1856, was one of the first schools of the Protestant Episcopal Church to attract a new American stratum of society that was becoming wealthy from New England water power, textiles and the exploitation of the West.

High School Lag Found

Dr. Warren's visit to a public high school, which he identified only as being in southern New Hampshire, impressed him with some of the inadequacies of the curriculum. This was true, he said, even though the English teacher whose classes he attended for a day was talented.

In preparing an advanced-studies program Dr. Warren conferred at length with Dr. Austin J. McCaffrey, New Hampshire State Commissioner of Education.

Admission to the program was limited to pupils of public and parochial high schools in New Hampshire. English composition and literature was made a requirement.

Dr. Warren said he was convinced that education was of little value unless a student learned how to express himself in his own language.

A grant of $100,000 from the Fund for the Advancement of Education enabled the program to get under way in 1957. Some 100 boys, all high-school sophomores, formed the first class. They were selected partly on the basis of results of a psychological examination made up by the American Council on Education.

Advanced courses in physics, chemistry and modern European history were offered. So, too, were courses in calculus and in the concepts of mathematics. The boys covered a full year's work in six weeks.

Each course carried one St. Paul's school credit toward application for college admission. Next summer 100 boys and thirty girls will take the advanced program.

As a complementary project, the sessions also offer an interne program for supervised teaching and class observation by public school teachers and college undergraduates and graduate students.

Many of the boys, Dr. Warren said, returned to senior years in high school to establish science and language clubs to stimulate more general interest in studying. Scholarships were available at St. Paul's for those needing them.

Robert P. Hulburd of the German department at Phillips Andover directed the summer school there. Phillips had started summer classes in 1942 as part of the accelerated education program of World War II. Later the sessions were geared to remedial and make-up work.

Shun Credits and Praise

In 1959 Mr. Hulburd and a faculty committee recommended an advanced program. It was decided to give neither credits nor praise. But progress reports were to be furnished to students applying for admission to college.

Phillips Andover financed scholarships from its own resources.

Whereas fifty instructors from the outside were used two years ago in the old type of summer session, only seven were on the summer faculty last year. This year only two from the outside will teach.

Phillips Andover's faculty members, stimulated by the chance to teach advanced courses rather than make-up work, have filled the rest of the places.

Last summer, some 225 boys from thirty-four states, the District of Columbia and three foreign countries took the advanced studies.

Mount Hermon's course will be directed by Samuel Greene. It will be known as a liberal studies program. Fourteen major courses will be offered. Emphasis will be on the humanities and science and mathematics.

There also will be a core course, "Man's Struggle for Freedom," with Prof. Edwin C. Rozwenc of Amherst College as the lecturer. About 150 boys and girls will be registered.

Dr. Newton's project to aid collegians' reading ability

DURHAM, N.C.—Instead of asking why Johnny can't read, North Carolina College at Durham has inaugurated a new "crash" program, directed by a female expert, to determine if Johnny can be taught to read.

"Despite nationwide publicity given to the problem of poor reading among American students," NCC Professor Eunice S. Newton said recently, "many people still find it hard to believe that college students have difficulty reading ordinary printed matter."

"The fact is," she continued, "a third and more students throughout the United States enter college each year with sub-standard reading skills."

* * *

THE READING expert considers it "most unfortunate that the smaller, poorer and less selective colleges are late comers to the teaching of reading skills." Harvard and the University of Chicago are pioneers, having been engaged in the work for more than 20 years, Dr. Newton points out.

The greatest general development, she asserts, came after World War II "when returning veterans showed high nonverbal skills but poor control of verbal skills."

It is well known, of course, that the problem is most acute among minority groups. On standardized tests, many freshmen students, particularly among the disadvantaged minorities, show a reading proficiency of ninth grade and below. At North Carolina College, where academic standards are high, the result is that between 25 and 50 per cent of the entering students do not complete their freshman year.

SOON AFTER he became president in 1947, Dr. Alfonso Elder tackled "this terrible problem of human waste" by encouraging teachers to conduct extra study sessions. The poorest readers were assigned to compulsory subfreshman courses. Over the years, however, teachers of



DR. EUNICE NEWTON

and the sciences have continued to complain about the inadequate reading skills among students.

Thus, year after year, the NCC chief executive took his problem to the state legislature with a "high priority" request for establishment of a reading laboratory.

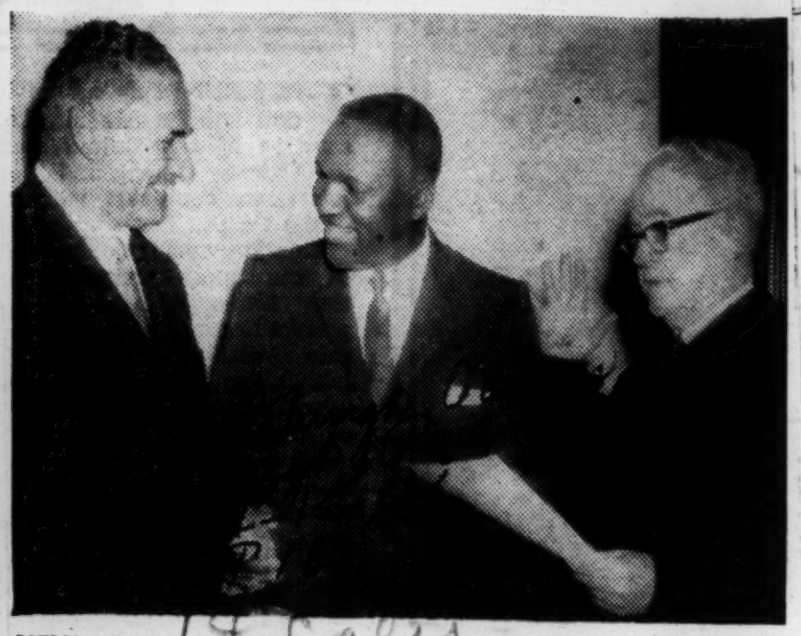
* * *

WHEN A recent session of the legislature appropriated $16,000 for that purpose, the department of education had already done much of the groundwork. Dr. Rose Butler Browne, chairman, called in a reading expert to organize and head the new reading program.

Dr. Eunice Shaed Newton came to NCC from Bennett College in Greensboro where she had performed a similar service. Prior to that, she was associate director of the reading clinic at Morgan State College in Baltimore, Md., and had taught in the Washington, D.C. public schools and was supervisor of elementary and junior high schools in Raleigh for eight years.

Dr. Newton is a product of Miner Teachers College, Columbia University, the Univrsity of Chicago, and the University of Pennsylvania. She holds the doctorate degree from the University of Pennsylvania, where she has also taught as a visiting pro-

EDUCATION



NEW BOARD MEMBER—James E. Stratten, center, is receiving congratulations from San Francisco's Mayor George Christopher, who appointed him to the Board of Education. At right is Superior Judge George W. Schonfeld, who officially swore in the new member.—Joseph Photo

San Franciscans Divided Over School Board Appointment

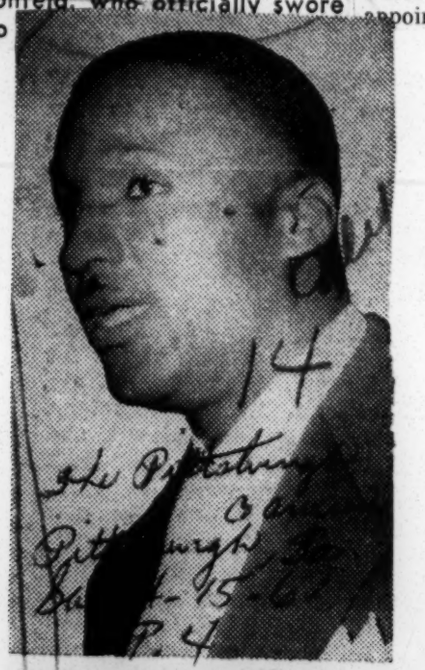
SAN FRANCISCO — (ANP) — A verbal battle involving three different factions in the Negro community continued last week over the appointment of James E. Stratten as the first Negro member of the board of education.

Negro leaders are divided as follows:

Those who praised the appointment, saying Mayor G. Christopher's appointment of Stratten, a Negro, was in good faith, defending both his choice and his tactics.

Those who have bitterly charged the mayor with "snubbing" Negro leadership in the the appointment after making prior commitments that he would consult closely with the Negro community before naming a Negro to the board.

Those who fit in the category of "neutralists" who are not as vocal and who maintain that the mayor has appointed Stratton for better, worse or political gain, and the appointment will stick.



NEW APPOINTEE—James E. Stratten is the first Negro to be appointed to the Board of Education in San Francisco, Calif. The appointment was made recently by Mayor George Christopher.

14 1961 D.C.

BOARD OF EDUCATION WASHINGTON, D.C.
ATTY. WESLEY S. WILLIAMS, ELECTED
PRESIDENT OF THE DISTRICT BOARD OF EDUCATION

District Education Board Elects Wesley S. Williams as President

Attorney Wesley S. Williams was elected yesterday to a 1-year term as president of the District Board of Education.

Williams, who has had a decade of service on the Board, was the only nominee and received six votes when the written ballots were counted. Two members abstained from voting and a third cast his ballot against Williams.

Carl C. Smuck, a savings and loan executive, was unanimously re-elected vice president.

Williams has been serving as president of the school board since March, when, as vice president, he automatically succeeded Walter N. Tobriner, who resigned to become a District Commissioner. At that time Williams became the first Negro to head the District School Board.

Among school problems to be tackleed Williams told a reporter, are those of the teachers college, classroom crowding, and a ceentral administration building.

"We are losing hundreds of thousands of dollars," he said, "because we don't have a central administration building. Another urgeent need is for strengthening the teachers college scholastically."

Three Board members recently reappointed for three-year terms were sworn in yesterday—Col. West A. Hamilton, Mrs. John L. Steele and Irving B. Yochelson.

The Board approved a request to sell stock shares turned over to the District school system by an anonymous donor to provide free milk and cookies for 6500 needy youngsters during the summer. The stock represented the first half of the $50,000 gift.

A special meeting has been scheduled for July 11 to approve the 1963 budget before it is sent to the District Building.



Heads School Board

Wesley S. Williams, Washington attorney, was elected to a one-year term as president of the D.C. Board of Education yesterday.

14 1961

SCHOOL BOARD (D.C.)

Early Confirmation Of Tobriner Forecast

Naming as Commissioner Called Excellent Choice by Bible

By Erwin Knoll and John J. Lindsay
Staff Reporters

Chairman Alan Bible (D-Nev.) of the Senate District Committee yesterday promised early hearings on the nomination of Walter N. Tobriner to be District Commissioner, and predicted speedy Senate confirmation of the appointment.

Bible said he had been very favorably impressed by Tobriner's appearances before the Committee as President of the District School Board. He called it "an excellent appointment."

Robert E. McLaughlin, whom Tobriner is expected to succeed as President of the Board of Commissioners, also had high praise for the nomination.

Under Tobriner, McLaughlin said, the School Board has been "one of the most efficient aspects" of District Government.

McLaughlin to Bow Out

McLaughlin, whose term as a Commissioner runs until June 30, has expressed his willingness to step aside as President of the Board in favor of the Kennedy Administration's choice.

The White House announcement Monday night that Tobriner would be named to succeed Mark Sullivan Jr., a Republican whose nomination never had been confirmed, restored a semblance of order to local Democratic ranks which had been thrown into confusion by rumors that the post would go to Frank D. Reeves.

Ever since his endorsement for a Commissionership by the Democratic Central Committee late last November, Tobriner's appointment to succeed Sullivan had been taken for granted. No other candidate was under serious consideration, authoritative sources reported.

Reeves, who, according to the White House announcement, will be named a special presidential assistant, was under consideration to succeed McLaughlin next summer, and presumably can still have the job if he wants it.

But Monday's rumors that Reeves would receive immediate appointment to a Commissionership were given credence even at the District Building.

On their strength, McLaughlin made an appointment with Reeves to discuss District problems. Reeves kept the appointment yesterday and spent 45 minutes in McLaughlin's office. When he emerged he declined to discuss his White House post or his interest in a Commissionership.

"The White House makes all appointments," Reeves said. "Any information will have to come from there . . .

"Fourteenth and E sts. (the District Building) is a nice address," Reeves added, "but 1600 Pennsylvania ave. is a nicer one."

Got Into Rules Fight

Before they were laid to rest by the White House, rumors about the appointment of Reeves, a Negro attorney who has been active in civil rights cases, were tied into the Rules Committee fight on Capitol Hill.

But there was no indication that the rumors about Reeves or the subsequent appointment of Tobriner were in any way related to the Rules battle. The matter of designating a Commissioner was put before President Kennedy for the first time late Monday afternoon, it was learned. When the Rules battle came to a head yesterday, there was no reference to race in the debate.

Tobriner announced yesterday that he would resign as President of the School Board as soon as his nomination is confirmed. That decision confronted the judges of the District Court with an immediate problem.

School Board Vacancy

Judge Joseph C. McGarraghy, who heads a committee charged with selecting School Board members, noted that the judges usually have several months to consider possible replacements for Board members whose terms are about to expire.

McGarraghy said he thought it would be desirable to fill the vacancy as soon as possible. He said the judges would welcome suggestions from civic groups, but urged interested organizations to move promptly.

The judges are bound by statute to maintain the Board's composition of six men and three women. A tradition not recognized by statute has kept the Board's ratio of six whites and three Negroes in effect for decades.

Wesley S. Williams, Vice President of the Board whol will succeed Tobriner as President for the rest of this school year, will be the first Negro ever to head the School Board.

Williams, an attorney who has served on the Board since 1951, has been chairman of the Committee on Complaints and Appeals, which hears protests against school administration actions, and was elected Vice President last July.



WESLEY S. WILLIAMS
. . . to head School Board

Like Tobriner, he has been an advocate of greater independence of the School Board from District Building interference in budget decisions.

Negro Heads D.C. School Board For First Time

WASHINGTON — (ANP) — The appointment of Walter N. Tobriner, head of the board of education in the District of Columbia, to be a district commissioner resulted in the elevation of a Negro to the chairmanship of the education board for the first time in history.

Wesley Williams, a Washington attorney, who was serving as vice president of the Board of Education was automatically stepped up to board chairman after Trobiner received his appointment from President Kennedy.

Members of the school board in the District of Columbia are appointed by the judges of the U. S. District Court, but they elect their own board officers every July 1.

1951 APPOINTMENT

Williams, 53, was appointed to the school board in 1951 and was elected the vice president in 1960. He is a native of Philadelphia and has been a practicing lawyer since 1942.

He received his education in the Philadelphia public schools, Storer Junior college, and Virginia Union university. He studied at the Howard University medical school with the hope of becoming a doctor.

But after his father's death he returned to Philadelphia where he entered the University of Pennsylvania School of Social Work, and eventually the Philadelphia College of law.

Williams was one of the five Negroes who were the first of their group to be admitted to the District Bar Association after new bylaws were enacted about two years ago.

He is married to a social worker who is employed with the school system's talent search program.

The Williams have two children, Wesley, 18, a sophomore at Harvard, and Marialice, 15, a junior at Immaculata High school.

Williams heads D.C. school board

WASHINGTON

Wesley S. Williams automatically stepped up this week from vice-president to president of the District school board, marking the first time a colored person ever held the position.

He succeeds Walter N. Tobriner, who resigned as board president upon his confirmation as a District Commissioner.

Mr. Williams said in a statement that "Mr. Tobriner has set a lasting example of leadership."

He stated that he will use his nine years of experience as a board member to help achieve goals for better schools.

1st Negro Heads D. C. Schools

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D.C. atty. named school board head

By EDWARD PEEKS

WASHINGTON

"It would be presumptuous for me to comment now on how I feel about succeeding Tobriner as chairman of the school board since he hasn't resigned yet," said Wesley S. Williams, who will be the first colored person to become chairman of the board.

"There's no question but that I shall succeed him as chairman under board rules when he resigns," the vice-president of the board told the AFRO on Wednesday. "I don't think he will resign until the Senate District Committee approves his appointment as commissioner."

Sen. Alan Bible indicated there will be speedy confirmation of the Tobriner appointment.

* * *

MR. WILLIAMS stated, "I will say, however, that the alertness and interest shown by the press and your paper in particular contribute to the welfare of the schools.

"One of the handicaps we have now is that too many parents don't concern themselves about the scholastic achievement of their children. We have many diamonds in the rough, not only among colored children but also white children.

"I think we are going to have to embark on a program of going into the homes. It wasn't the thing to do 40 years ago, but I think it is now."

He referred to steps already taken in the direction of the home - classroom program by the "talent search project" at Macfarland Junior High School and the recently begun language - arts program centered in seven up - town elementary schools.



WESLEY S. WILLIAMS

"I'm glad these programs are under way at the same time," Mr. Williams said. "I think the results are going to be revolutionary."

The AFRO noted Dec. 3 that Mr. Williams was in line to become the first colored president of the board in view of the change in city administration.

Predictions in the front-page story turned out to be true with Walter N. Tobriner slated to become chairman of the Board of Commissioners and Mr. Williams succeeding him as head of the school board.

Mr. Williams was elected vice - president of the board last July. He was made a member of the school board nine years ago.



By Arthur Ellis, Staff Photographe

District Government Gets New Leader

Walter N. Tobriner, center, who became president of the District's Board of Commissioners yesterday, stands with Mrs. Tobriner at the District Building as they greet Wesley S. Williams, who succeeded Tobriner as head of the District Board of Education. Tobriner, after being sworn in as a Commissioner, said he hoped to bring the New Frontier concept to District government. Story on Page C1.

Tobriner Sworn, Sets D. C. Goals

By James Carberry
Staff Reporter

Walter N. Tobriner took over the presidenecy of the Board of District Commissioners yesterday and called on the city to move toward the "New Frontier."

"The New Frontier is not just a campaign slogan," Tobriner said. "It is not a shibboleth appropriated and copyrighted by the Democratic Party.

"To me, it is a revitalization of American life on all levels . . . which has captured the imagination of the country and kindled the spark of new effort."

Formalities Are Brief

Tobriner, former president of the District Board of Education, was sworn in as a commissioner before some 400 persons who packed the District Building hearing room.

In a brief, amiable meeting of the three commissioners after the ceremony, Robert E. McLaughlin nominated Tobriner to succeed him as Board president. Engineer Commissioner Frederick J. Clarke seconded the motion and the election was over.

Clarke then suggested that the new president assume direction of the Police and Fire Departments, which were McLaughlin's responsibility when he headed the board.

The transfer was agreed to, with the proviso that McLaughlin will continue to represent the District on the Washington Metropolitan Regional Conference. McLaughlin is conference chairman.

Voices Hopes for D. C.

Tobriner, in a 500-word talk after the swearing-in, gave some hint of the policies he will pursue during his 3-year term:

"I would wish," he said, "that it come to pass . . . that the citizens of our city shall feel free to walk the streets in any part of it, night or day, without molestation or fear; more direct voice in the control of our local affairs; that there shall rise within the core of the city a new and beautiful residential area where people of good character and good will may live in harmony;

"That every citizen shall be secure in person and in reputation against unwarranted arrest or detention; that job opportunities shall be available for those with skills and the opportunity to achieve skills shall be open to everyone.

Opportunity Set as Goal

"I should like to see a city where life will be so full of constructive opportunity, where the standards of living can be elevated that frustration will be lessened and the old answers found only in drugs, alcohol and gambling will tend to diminish;

"A city where new highways will feed the growing activities of the community and where the young with children as well asthe old wil return from the suburbs attracted by our city's parks, its fine schools and its cultural opportunities."

"Vision" of New Frontier

Tobriner conceded his vision may seem like Utopia. "But no worthwhile advance," he said, "however, small, has ever been made without sight of Utopia in the distance.

"These things will not come to pass during my term of office, nor during the term or terms of my successors," Tobriner concluded. "But keeping in mind the vision of the New Frontier, let us so act within the years immediately ahead that no historian can say we have not at least made a good beginning."

Tobriner, 58, replaces Mark Sullivan Jr. Sullivan, in a letter read at the swearing-in ceremony yesterday, offered his successor one bit of advice: "Watch out for the low-numbered tags."

School Board Gets New Chief

Attorney Wesley S. Williams became President of the District Board of Education yesterday, and immediately issued an appeal for increased public support o fthe school system's goals.

"The community shouldn't just drop problems in our lap —it should help take them out," Williams said in an interview.

Williams, Vice President of the Board since last July, automatically succeeded to the Presidency when Walter N. Tobriner submitted his resignation. Tobriner's nomination as a District Commissioner was approved by the Senate Tuesday.

To Elect Vice President

The School Board will elect a new Vice President at its meeting March 15. Judges of the Federal District Court are expected to appoint a new Board member soon to take Tobriner's place.

Williams, who has been serving on the School Board with Tobriner since the early 1950s, praised the new Commissioner for setting "a lasting example of leadership which I hope we all may follow."

Among school problems deserving immediate attention, Williams singled out the need for a stepped-up building program to relieve classroom crowding.

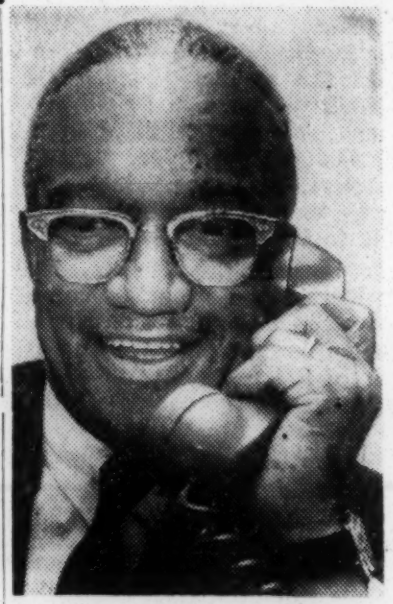
He said he was sure "the persons who control the purse-strings would lend an attentive ear" to strong community pressures for increased financial support of the schools.

One step toward obtaining such community backing, he added, would be better communications between schools and parents.

"eW also need more parent cooperation to relieve the schools or burdens that could be taken care of at home," Williams said.

But he complained, too, that the shcools are failing in many cases to provide needed services which are otherwise unobtainable.

He cited the example of a junior high pupil whose annual school eye examinations



The Washington Post

WESLEY S. WILLIAMS

. . . takes over education post

had repeatedly disclosed acute nearsightedness, but who had been unable to obtain glasses.

"How many hundreds are similarly situated?" Williams asked.

Williams, 53, is the first Negro ever to head a School Board governing the entire District system, though there were separate Negro School Boards for segregated Negro schools in the 19th Century.

Lawyer Here Since '42

He has practiced law in Washington since 1942 and has been identified with many civic organizations. His wife, Bathrus, is a social worker concerned with educational problems.

As chairman of the School Board's committee on complaints and appeals, which hears pupils', parents' and teachers' protests against decisions of the school administration, he has occasionally been critical of administrative policies.

But yesterday Williams praised School Superintendent Carl F. Hansen for "an outstanding job," and referred to the administrative staff as "highly capable."

Renewal of Hansen's 3-year contract will be one of the first items of business confronting the Board under Williams' chairmanship.

Williams, a native of Philadelphia who attended public schools there, did undergraduate work at Storer Junior College and Virginia Union University. He attended Howard University's medical school for a while, then returned to Philadelphia to enroll in the University of Pennsylvania School of Social Work and, ultimately, the Philadelphia College of Law.



CONGRATULATIONS to both of us — Atty. Wesley S. Williams, newly elected president of the Board of Education, congratulates Mr. Walter N. Tobriner, newly elected president of the D.C. Board of Commissioners. Mr. Tobriner in turn, congratulated Mr. Williams on his election. The scene took place last week at Mr. Torbiner's swearing-in ceremonies. Mrs. Tobriner looks on approvingly as the new officials exchanged comments. (AFRO photo by Sorrell.)

14 1961

GEORGIA (BOARD OF EDUCATION)

O'Callaghan Elected Education Board Head

Atlanta Daily World

Atlanta Ga.

By JOEL W. SMITH

The Atlanta Board of Education Monday night filled the vacancies created by the resignations of its two top officials and reorganized for the remainder of the year.

With Board Member Ed S. Cook, Sr., presiding, the Board elected Oby Brewer, Jr., board member-at-large to replace President A. C. (Pete) Latimer and Fred Shell to replace Vice President Allen Chancey, of the Fourth Ward. The acceptance of the resignations was the first order of business.

The Board then promptly elevated L. J. (Jim) O'Callaghan to the presidency and elected Harold Jackson, vice president.

LATIMER PRAISED

In taking over the gavel, President O'Callahan praised ex-President Latimer for the many sacrifices he made as a public servant and for the leadership he gave the Board.

The new Board president also expressed his gratitude for the honor of being elevated to the top post and promised to work along with the members in carrying out their duties and responsibilities.

In his monthly report to the Board, Dr. John W. Letson presented a proposal dealing with Board policy and administrative regulations relating to staffing of schools and transfer of teachers.

The Board approved this recommendation, along with others dealing with the establishing of a metropolitan Educational Radio and Television Center and a proposed budget for inter-system educational broadcasting.

In response to a question from Jesse Hill, as an interested citizen, Dr. Letson disclosed that a statement regarding the implementation of the Pupil Placement Law will be released before May 1.

Mr. Hill requested that information and application forms be made available in the high schools as well as in the City Hall.

The Atlanta World learned following the meeting that the plans and procedures are virtually complete, and will be ready for distribution after being checked for legal requirements and approved by the Board, in possibly a special meeting.

The application forms and procedures will be available and well publicised, the World learned. This information will include basic policies and factors dealing with the assigning of students and procedures for parents interested in having their children transferred or re-assigned.

In an order, released by Federa Judge Frank A. Hooper on May 9 1960, the Board was granted some relief, namely, that "said Plan shall be effective as of May 1, 1961, looking toward the operation of the school system for the session beginning in September, 1961.

"The effect of this Order is that defendants shall as of May 1, 1961, from May 1st to May 15 to the put into operation the Plan heretofore approved by this Court, receiving applications for transfers twelfth and eleventh grades of the Atlanta Public Schools . . . "

14 1961

BOARD OF EDUCATION (KENTUCKY)

Louisville Board Picks Negro Head

Journal & Guide

Norfolk, Va.

Sat. 5-13-61

Woodford R. Porter Elected Chairman Unanimously

P. 1

14

LOUISVILLE, Ky. —(UPI)— Woodford R. Porter, 42, who became the first colored member of the Louisville Board of Education in 1958, has been elected its first Negro chairman without opposition.

Mr. Porter, vice chairman since last January, is partner and general manager of a local funeral home.

He succeeds Scott Detrick, who resigned last month when he filed for the Democratic nomination for sheriff of Jefferson County.

MR. PORTER was nominated for the chairmanship by L. Eugene Johnson, president of a local restaurant firm whose cafeterias have been the scene of anti-segregation demonstrations in recent months.

Although Louisville schools were racially integrated in 1956 most downtown restaurants and theaters are segregated.

A NATIVE of Louisville, Mr. Porter attended Indiana University and the Kentucky School of Embalming. He is a Navy veteran of World War II.

Another colored citizen, the Rev. H. H. Greene, pastor of R. E. Jones Temple Methodist church, Tuesday was elected president of the Louisville Ministerial Association.

He also is the first member of his race to head that group.

School Board Chairman

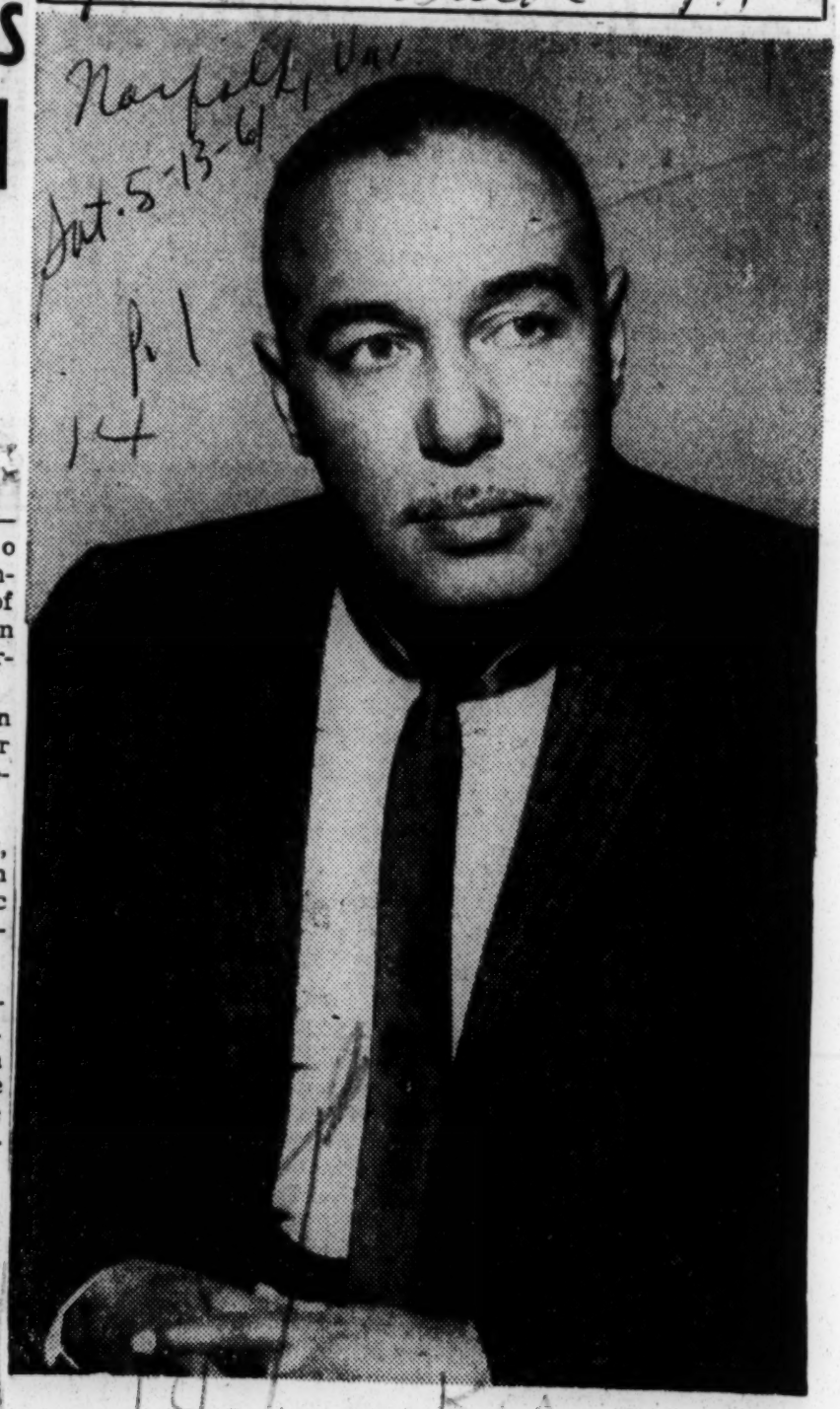
Journal & Guide P. 1

Norfolk, Va.

Sat. 5-13-61

P. 1

14



Woodford R. Porter, elected in 1958 as the first Negro member of the Louisville (Ky.) School Board, on May 1 became the first member of his race to serve as chairman of the School Board. He was elected unanimously.

School Board Gets First Negro Member

EAST ORANGE, N. J.—(ANP)—A former Chicago librarian last week became the first Negro ever named to the East Orange Board of Education.

Mrs. Mildred E. Barry, 34, was selected for the five-year post by Mayor James W. Kelly, Jr. She replaces a Newark attorney, C. C. Trelease.

Mrs. Barry has resigned as secretary-treasurer of the city's library board, to which she was assigned last month by the mayor.

Mrs. Barry is the first woman ever to serve as a president of the Stockton-Kentopp school P. T. A.

Born in Chicago, she studied at the University of Illinois and worked as a librarian. She has been a resident of East Orange for eight years.

Her husband, Lester, is an electrical engineer with the Bendix Corporation.



TRAILBLAZER — Mrs. Lester B. Barry, photographed with her husband and their two children, Jacqueline and Patricia. is the first Negro to serve on the East Orange (N.J.) Board of Education. She was appointed for a full five-year term by Mayor James W. Kelly Jr.

14 1961

East Orange School Board Gets First Negro Member

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14 1961

Excerts From Allen Message on Education

The New York Times

Special to The New York Times.

ALBANY, Sept. 6—Following are excerpts from the memorandum sent today by Dr. James E. Allen, state Commissioner of Education, to the Board of Regents on the state's goals and plans on education: P. 34M

The Curriculum

The goal with respect to the curriculum is the provision in each school of the state of materials, activities and procedures which contribute most directly to developing the ability to thnik. To help the schools achieve this goal, the department will need constantly to maintain a thorough and rigorous review of its syllabi and teaching guides in each of the major areas of the curriculum, including the following:

1. *Language Arts.* We are working out a plan for a more intensive effort to improve reading. This plan will be presented for the consideration of the Regents later this year.

2. *Mathematics.* The department has done much in recent years to raise standards and improve materials in mathematics. As in reading, the key to progres sin mathematics is upgrading the qualifications of teachers, especially elementary school teachers. Experimentation is revealing new effective methods of learning mathematical concepts and processes.

3. *Social Studies.* Special attention needs to be given to teaching the values, traditions and institutions of freedom, and to the principles and practices of democracy and its political processes. At the same time we need to include more facts about the history and policies of communism, fascism and other non-democratic forms of government if our students are to be able to recognize the threat to freedom which these forms of government present.

Of special importance is the inclusion of the cultures of the so-called non-Western world. At the same the exercise of foresight demands attention be given to the effects of the conquest of space upon living.

During thec oming months the department will present to the Regents a complete review of our program and recommendations.

4. *Science.* Here, too, substantial revision of the state syllabus has been accomplished and improved teaching guides have been prepared. It is obvious, however, that additions to and improvements in guides, textbooks and teaching aids must be a continuous process.

5. *Foreign Languages.* Every high school student should have a choice of at least two foreign languages, and a minimum of three years should be available in each language. By 1970 every major foreign language should be available to all high school students, including Russian and Chinese. Language teachers should be required to be able to speak the language they teach. All high schools should be equipped with language laboratories.

6. *Health and Physical Education.* Recently the President of the United States issued a strong call for greater emphasis by the schools on physical fitness. The department will give special attention to reinvigorating the program of the schools in this area.

7. *Vocational Education.* The advancement of science and technology is steadily reducing the jobs available for persons with low-level talents.

7. *Vocational Education.* A state-wide master plan for the expansion and development of vocational education to meet the demands of the Nineteen Sixties is needed.

8. *Music and Art.* The fine arts play a major role in carrying out the central purpose of the school and in the development of the rational powers of the individual. The Regents and the department must not allow the pressures of scientific and technological advancements to prevent the schools from giving full attention to the fine arts.

9. *Moral and Spiritual Values.* Throughout the entire school curriculum there should be planned programs and activities designed to develop in young people a strong commitment to moral and spiritual values: commitment to honesty, accuracy and personal responsibility; respect for the intellect and for the intellectual life; respect for the dignity of honest work, etc. Knowledge and understanding of facts and processes are useless in a free society unless they can be related to values.

Innovation in Education

All across America experiments with new concepts and practices are beginning to show significant results in the improvement of quality. New York State has taken the lead in this movement at both the state and local levels. These efforts, however, are not enough. We need to consider how best to bring to bear the total educational resources of the state in a massive attack on resistance, lethargy and blocks to constructive change.

With funds granted the department by the Ford Foundation, an intensive study has been made during the past year of how this can be done. The report of this study and proposals for state-wide action will be available early this fall.

The department also will bring up to date and urge the adoption of plans for providing high-quality, non-commercial educational television in all areas of the state, as envisioned by the Regents in then far-sighted plan of ten years ago.

The Administrative Organization of Public Education

The great challenge today in local administrative organization lies in metropolitan areas. Political, fiscal and bureaucratic controls, socio-economic problems and lack of public responsiveness have bogged down progress in many of our large city school systems to an intolerable point. Forty-two per cent of public school enrollment in the state is in the six largest city school districts. Steps need to be taken to inject new life into the education government of these city districts and to restore them to the position of leadership and influence they once held.

An urgent prerequisite for the achievement of better local school organization and administration in New York State is a new, streamlined Education Law. The present law is a massive collection of detailed and complex provisions, enacted through many years of patchwork efforts to adjust to specific needs and pressing problems, often of short-range duration. A major revision is needed which will simplify interpretation of the Education Law and make it a fully effective instrument for facilitating educational improvements and strengthening local autonomy.

The department's plans for achieving the goal of improved local school administrative organization includes the following:

1. We recommend that the Regents seek authority and funds from the Legislature for a full scale revision and simplification of the State Education Law.
2. The department will press for the completion of school district reorganization, as envisioned in the master plan, and from time to time recommend measures for expediting the trend of progress.
3. We shall give special attention to the revitalization of the administrative organization of education in the state's major cities.



The New York Times

Dr. James E. Allen Jr.

State Leadership

The realization of the goals for education in the Nineteen Sixties will challenge the leadership of the state as it has never before been challenged. Bold, dynamic, imaginative leadership of the highest order will be required.

The rapid change which characterizes our times demands flexibility of approach and smooth and speedy adaptation to changing needs and conditions as they arise. The full advantages of our state structure for education can be realized only if we continuously and unsparingly examine our laws, policies and practices to make certain that they are adequate for the needs and the demands which will be made upon them.

The preservation and enhancement of local control must be a special concern of our leadership at this stage of the development of education in our country. Local control can continue to exist only so long as it produces good education. In our supervisory role we must be unremitting and unswerving in our insistence upon high standards of performance at the local level, so that this concept can be defended as a fruitful means for fostering the quality education imperative for our nation.

Procedures of the School Board Are Challenged in Court Hearing

The New York Times 6-2-61
Thurs. 6-1-61
New York N.Y.

By LEONARD BUDER

Although a major purpose of the Board of Education's open meetings is to give the public a chance to be heard on school matters, the board occasionally has added items to the calendars of the meetings without informing the public, a hearing in State Supreme Court in Brooklyn was told yesterday.

The testimony was given by Harold F. Hay, secretary of the board, in connection with a suit brought by two construction concerns that are seeking to upset their disqualification by the board last May 25.

Under questioning by Justice Louis L. Friedman and the lawyers for the two concerns, Mr. Hay said that the board members decided between 4 and 4:15 P. M. on that day to act on the barring of the contractors at the public meeting that started at 4:30 P. M.

The two concerns—the Caristo Construction Corporation and Mars Associates & Normel Construction Corporation—have charged in their suit that the board acted in an arbitrary and capricious manner and without giving them an opportunity to be heard.

The board barred the contractors after receiving a report from City Investigation Commissioner Louis I. Kaplan on the circumstances surrounding the submission of tie bids for a new school construction project by two concerns in October, 1959. prominently in last June's public hearing of the State Investigation Commission, involved a mock coin toss obtensibly to determine which concern should get the contract and the payment of an $11,000 "consolation prize" by the winner, Caristo, to the loser, Mars-Normel.

Last month the board suspended Joseph R. Weiss, the Deputy Superintendent of Schools in charge of construction, for allegedly giving false testimony about the episode, and on other charges. Mr. Weiss is scheduled to enter his plea to the charges this morning at a board hearing and to go on departmental trial next Wednesday.

During yesterday's hearing before Justice Friedman, two members of the school board testified that they voted to bar the two concerns because they thought the arrangement for the $11,000 payment was morally wrong.

The members were Mrs. Cecile Ruth Sands and Andrew G. Clauson Jr. At one point Mrs. Sands said that she voted for the disqualification because the Kaplan report showed that the concerns had engaged in collusive bidding. After a luncheon recess of the court, during which she re-read the report, Mrs. Sands retracted the statement and asserted she acted because of concern with the morality of the $11,000 payment. The Kaplan report did not charge collusive bidding.

Five other members of the school board are scheduled to appear when the hearing resumes this morning. The board was represented by Leon A. Fischel, an assistant Corporation Counsel. Louis E. Yavner was the lawyer for Mars-Normel and Max E. Greenberg, represented Caristo.

Lawyers of New York

Dr. Gardner Taylor Among 9 New York School Board Members Asked To Resign

NEW YORK. — (ANP) — Mayor Robert F. Wagner last week took action to remove three members of the board of education here who had defied his demand that they resign.

Wagner ordered charges drawn against the three members, Dr. Charles F. Rank, Vito F. Lanza, and Cornelius J. Walsh.

The board's only Negro member, Dr. Gardner C. Taylor, pastor of the Concord Baptist church in Brooklyn, had said he wanted a good explanation if he were to step out.

Met Earlier For "Showdown"

Earlier in the week, eight of the nine members of the board met with Mayor Wagner in Gracie Mansion for a showdown on why he had ordered them out of office.

All nine members of the board have been appointed or re-appointed by Wagner. The board has come under mounting criticism with disclosure of inefficiency, mismanagement and improprieties by some school employees.

Some members, responding to the mayor's decision to have them resign, have been complacent. Others have been indignant.

Rev. Taylor, who has been involved in a year-long dispute with Dr. J. H. Jackson over the right to the presidency of the National Baptist Convention of the U.S.A., Inc., assailed Gov. Nelson Rockefeller who planned to oust the board through measures to be adopted at a special meeting of the legislature this week.

"I warn Mr. Rockefeller that he will not march to the White House on the backs of black children."

Willis' Record "Sorry"

Dr. Taylor demanded that the Governor repudiate a suggestion that School Superintendent Theodore Be replaced by Chicago's Benjamin Willis, whose record on school integration was described by the clergyman as "sorry."

Before the meeting, Walsh of the Bronx said flatly he would not resign.

"Resignation under fire is an admission of guilt," he snapped. "If I have been guilty of wrong-doing, let me be so charged. This is an indecent political maneuver to which I do not subscribe."

Rank, the board's vice president, who was reported to have gone on vacation, and Lanza, who was in Trenton, N. J., on business, could not be reached to be served with Wagner's charges. Both are Queens representatives on the board.

A spokesman for Walsh, the third member facing trial, said he had not received notice of the charges.

Mayor Non-Committal

Wagner has not made public the ground on which he would try to remove the three. At a hearing to oust the board members, he would serve as prosecutor, judge and jury. The city charter gives the mayor power to remove board members after a hearing on stated charges.

However, after last week's meeting, the mayor's special board of inquiry on school affairs said it knew of no grounds to justify the removal of the school board members. Consequently, the special panel urged that the members resign in the "best interests" of the schools.

State Controller Arthur Levitt, the regular Democratic designee for Mayor, said the responsibility for the school crisis must be shared by the Board of Education, the Superintendent of Schools, the State Commissioner of Education and, most of all, by the mayor.

Asserting that the situation was just as serious three years ago, he questioned why the state "waited until an election year to move forward on this problem."

Charles H. Silver, president of the school board, issued a statement defending the board's record and describing the efforts of school officials to correct deficiencies.

The statement, which was described as an open letter to the citizens of the city, criticized Governor Rockefeller's plan to supersede the board with a state-appointed interim body at the special session of the Legislature, and declared "we will challenge the legal status of such an interim board on various grounds."

14 1961 BOARD OF EDUCATION NORTH CAROLINA

Dentist named member of High Point school board

HIGH POINT, N.C. — (ANP) — The High Point City Council last week unanimously approved the naming of Dr. Perry Little, dentist, to one of the three open seats on the local school board.

Dr. Little thus became the first colored member of the body.

His name, along with those of industrialist John Clinard and an incumbent, Mrs. John Womack, was offered the council by Mayor Carson Stout. Council approved the full slate.

Dr. Little, who will serve a five-year term on the school board, is considered among leaders of the local colored community. He was an unsuccessful candidate for the City Council in the Democratic primary earlier this year. He has also taken active lead in activities leading to desegregation of local schools.

Naming of Dr. Little and Clinard to the board and retention of Mrs. Womack, who had served a year, was in keeping with a legislative act increasing school board membership from five to seven.

Memphians Elect Hunt To Shelby Education Board

MEMPHIS, Tenn.—(SNS)—Blair T. Hunt, 72-year-old educator, minister and orator, now holds the highest office of any non-white citizen in Memphis or Shelby County in modern times.

The retired principal of Booker T. Washington High School will take the oath of office as a newly elected member of the County Board of Education this Friday morning at 9 o'clock in the County Court Room.

Mr. Hunt, who for many years has been the pastor of Mississippi Boulevard Christian Church and only recently named a deputy probation officer in Juvenile Court, was elected to the board Monday morning by the County Court. He was elected for a four-year period. Eight voted for Mr. Hunt and only one against him.

Should the city and county schools consolidate, all terms of board members would end at that time.

Mr. Hunt was one of four persons elected to fill four vacancies. Others elected were Dr. Jean M. Hawkes, unanimously; W. F. Posey, seven votes; Mrs. Ellen Davies Rodgers, six votes, and Mr. Hunt.

Following his election, Mr. Hunt's telephones at his office and in his home continued to ring for hours pouring out words of congratulations from friends and well-wishers.

"This was a complete surprise to me until two or three weeks ago when I read in the papers that my name was being mentioned for the post," said the well-known Memphian.

"I am deeply honored by this and truly humble," he said of his election to the board.

"I hope to be of valuable service in whatever way I can and I want the citizens of Shelby County and Memphis to know that I appreciate their confidence in me," he told The Memphis World.

Mr. Hunt attended the old LeMoyne Normal Institute, completed his prep work at Fisk, received his college degree from Morehouse in Atlanta and a master's of science from Tennessee A. and I. State University. He also received the associate in arts from Harvard University.



BLAIR T. HUNT, who was elected a member of the Shelby County Board of Education Monday is pictured here in one of his dramatic poses.

The Brazen Plan To Oust Mrs White From The Board

The Informer
Houston, Texas
Oct 25-61

An item in The Houston Post last Sunday said:

"One of the election procedure changes that a committee of the Houston School Board is going to consider would reduce the terms of the board's only liberal member and two of the conservative majority members by one year."

"One of the suggestions was that the date of the School Board election be changed from its present date, which coincides with state and national elections, to the date of city elections.

"If this suggestion was adopted, the terms of Mrs Charles E White, the board's remaining liberal, and Mrs H W Cullen, vice president, and J W McCullough, recently appointed to the board, would be reduced by one year."

Not only is Mrs White liberal in the finest sense of that term, but without question she is one of the ablest members of the board, barring none.

Ordinarily, except where some ulterior political motive is involved, the terms of incumbents are not affected, when legislation of this kind is being considered.

While Mrs White does not hesitate to speak her mind in opposition to any action which she thinks is wrong or which she believes denies equality of educational opportunity to any citizen, it would not be in keeping with fair play for anybody to persuade the Texas Legislature to reduce her term of office by so much as even one day, from the term to which she was elected by the voters in the Houston Independent School District.

If it is a good thing to have the election of school board members at the same time as city officials are elected, with the resulting mixture of city politics with the public schools, simple justice and fairness would require that new legislation authorizing this change should not apply to any of the incumbent school board members.

Two Cities Name Negro School Board Members

The Call Kansas City, Mo.
Dec 4-14-61

MILWAUKEE — (ANP) — The election here last week produced the city's first Negro member of the board of education. He is Cornelius Golightly, a Mississippi born educator.

Golightly, who ran behind the slogan of "an educator for an educator's job," viewed his victory as part of a national trend to accept Negroes on their merit rather than as representatives of their race.

He said: "It's reassuring to the Negro voter to know that it is possible for a Negro to run for office and win."

Golightly, 43-year-old associate professor at the University of Wisconsin, pointed out that he had campaigned as an inidvidual on the merits of his educational background. "I am rare," he says wryly, "because I got my bachelor's, master's and doctor's degree all in philosophy."

A native of Waterford, Miss., he received his bachelor's degree from Talladega college in Alabama in 1938, his master's degree from the University of Michigan in 1939 and his doctor's degree from Michigan in 1941.

ST. LOUIS. — (ANP) — James E. Hunt, Jr., president of the Employes Loan and Investment co., was elected to a six year term on the school board last week.

Hurt, who is 37, registered 72,670 votes to come in third among the five successful candidates.

He is also a member of the St. Louis Council on Human Relations and has been active in the Nursery Foundation and the Pine Street Y.M.C.A.

Milwaukee School Board Gets Negro

The Black Dispatch
Oklahoma City, Okla.
Dec 4-14-61

MILWAUKEE.—(ANP) — The election here last week produced the city's first Negro member of the board of education. He is Cornelius Golightly, a Mississippi-born educator.

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14a 1961

ADULT EDUCATION CALLED CIVIC TASK

p 22c

Use of Public Funds Urged at School Convention

Special to The New York Times.

WASHINGTON, Nov. 8—Four national education organizations declared today that adult education "is an integral and necessary service of the public school system."

The statement was prepared by a joint committee of the Association of School Administrators, the National Congress of Parents and Teachers, the Council of Chief State School Officers and the National Association of Public School Adult Educators.

The release of the statement came at the opening session of the ninth annual convention of the National Association of Public School Adult Educators. The convention, at the Sheraton-Park Hotel, will extend through Saturday.

The four groups agree that public funds should pay for adult and community education programs. However, the statement also makes clear that "adult education services require financial support from many sources."

The policy statement also contended that:

¶Public school leaders should endeavor to establish adult education as a cooperative community enterprise.

¶Such adult education programs should be under the direct control of local boards of education.

¶Every board of education should provide funds in its budget for adult education classes.

¶Adult education programs should include not only vocational, remedial and academic subjects but also lectures and courses on new developments in medicine, nutrition and government and world affairs.

Lifelong Process Noted

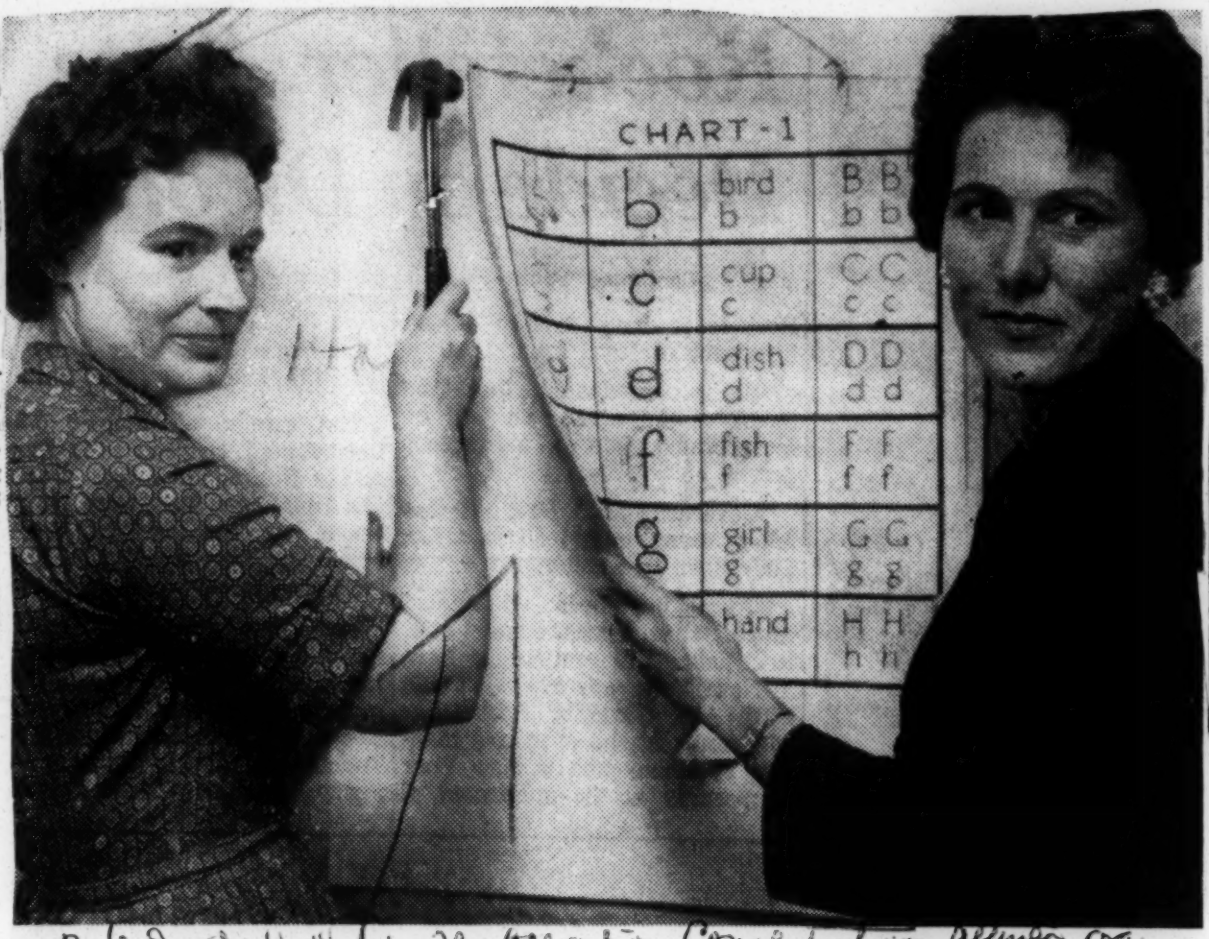
The statement said that school authorities and community leaders should try to convince all citizens that "learning is a lifelong process."

Public schools are logical places to hold adult classes because the buildings are not otherwise in use at night, and the schools already have staff and facilities with which to teach adults, the statement noted.

Also opening a convention in the same hotel today was the Council of National Organizations for Adult Education. The council is composed of eighty-six national organizations with memberships totaling nearly 47,000,000 persons.

Dr. Charles Frankel, Professor of Philosophy at Columbia University, was the keynote speaker at the council convention. He emphasized the need for national organizations to look beyond their immediate problems to broader social and national concerns.

Dean Israel Sweet of Pratt Institute, Brooklyn, is council president.



Staff Photo—Darrell Thompson

PICTURE, WORD CHARTS TEACH ADULTS TO READ

Mrs. Robt. Beckner (L), Mrs. Kent Hovis Prepare for Monday Workshop

Baptist Women Fighting Illiteracy With Reading Instruction for Adults

Eleven out of every 100 people cannot read their Bible.

With this fact added to the impersonal fact from the United States census that one out of every 11 adults in this country is a "functional illiterate," church people are beginning to open closed doors to these illiterates.

Baptist women in Georgia—especially in Atlanta—have a good program started using the Laubach method of teaching reading to illiterates in the area.

Three and a half years ago, Mrs. Ernest Miller, Georgia Baptist state president of the Women's Missionary Union, and Mrs. Kent Hovis, literacy chairman of the Atlanta WMU, began a literacy program in Atlanta on Magnolia Street.

At that time they found there were 50,000 functional illiterates in Atlanta and 500,000 in the state.

Workshops have been held to train literacy workers in using the Laubach method ("Each one teach one"). Some 400 workers have attended these workshops. They have been of all ages, all walks of life and with varying degress of education.

"It's not necessary to have a college education to teach another to read," Mrs. Hovis said, "and there's no age limit placed on a worker."

Teaching another person to read is a good pastime for retired people, especially schoolteachers. While most of the workers have been women, Mrs. Hovis says there is a great need for men to teach reading.

"Many of these people don't like for a woman to teach them. They want a man teaching them to read," she said.

"They're very sensitive people and they don't like the word 'illiterate.' Most of them are embarrassed by the fact they can't read or write," Mrs. Hovis said.

While they can't read words, Mrs. Hovis says, they can read a person's feelings and a great deal of love and understanding must be shown by the teacher.

Word of classes being taught travels throughout a community through pulpits, welfare agencies, places of employment, but mainly by word of mouth.

Reading is taught by association and sound on a simplified basis. At the end of the course, a person should know 1,200 words and read on a high fourth grade or low fifth grade level. They also learn to write and a little English, too.

The Atlanta WMU is sponsoring another literacy workshop to train new teachers Monday and Tuesday nights from 7:30 to 9 p.m. in room 116-118 of the Atlanta First Baptist Church.

The workshop is open to men and women of all ages and denominations who want to share their educational opportunities with less fortunate citizens. Mrs. Hovis will be the instructor.

$300,000 Grant For Adult Study-Discussion

Chicago Defender
Chicago, Ill.

The American Foundation for Continuing Education, Chicago has received a grant of $300,000 from The Fund for Adult Education, to act as a national center to advance the liberal education of adults through study-discussion groups. This represents a total of $1,500,000. given the Foundation by The Fund for Adult Education over the past nine years.

In announcing the grant, C. Scott Fletcher, President of The Fund for Adult Education which was established by The Ford Foundation as an independent organization in 1951, said that a decade of intensive experimentation had demonstrated that study-discussion programs for adults led by trained lay leaders was one of the most effective ways by which high-quality learning experiences could be offered to large numbers of adults by educational institutions and by organizations. Study - discussion, which consists of small groups studying specially prepared or selected materials under carefully trained l a y leadership has proved its worth as a method of learning, he said.

Effective Jan. 1, 1961, the American Foundation for Continuing Education will assume all responsibility for all study-discussion in the liberal arts activities heretofore carried on by The Fund for Adult Education. The Foundation will also act as a clearinghouse on all aspects of study-discussion, and particularly on the current status of program materials developed by the Fund and others over the past years.

Adult Education Classes Now Open at M. Gilbert

The Fla. Times-Union
Jacksonville, Fla.
Jan. 1-22-61
p. 2

Registration is now open for classes in adult education at Matthew W. Gilbert Evening School.

The program includes typing and shorthand. Additional classes may be arranged to meet the needs of those who want business English, business mathematics, bookkeeping or business filing. Arrangements may be made by contacting Mrs. M. E. Ayers or Prof. Otey at Gilbert nightly during the week.

Elementary education is also offered with Mrs. A. Blackshear as instructor.

Sewing, Garment making and designs is a four nights per week course with Mrs. H. Holt as instructor.

Driver education classes are now being organized for the Spring semester with C. Parsons as instructor. General education classes are held nightly.

Other courses include secondary education leading to the diploma, credit courses, high school review courses leading to the diploma, the fundamentals in education for both secondary and others who desire to improve themselves in reading, writing, functional and basic arithmetic and higher mathematics, grammar, speech, expression, vocabulary building, science as applied to present day problems, world history and American history.

These courses are offered to qualify those who desire to take nurse training, beauty culture, and secretarial service. Students may receive credit in all the departments toward graduation.



The Florida Times-Union
Jacksonville, Fla.
14a Fla Fri. 2-17-61 p.49

EVENING ADULT SEWING CLASS

Two sewing classes for adults are now in session at New Stanton High School. Interested adults may register for classes on Monday and Wednesday evenings from 6 to 10 p.m. Ladies now enrolled are being trained in design, pattern cutting and garment making. Mrs. Emma Kilpatrick and Mrs. Elaine Mathews are instructors.

14b 1961



DR. HARRY A. JOHNSON
At Conference

Virginia State Staffer Will Attend Confab

PETERSBURG, Va. — Dr. Harry A. Johnson, professor of education and director, Audio-Visual Center at Virginia State College, Petersburg, has been selected as one of 80 American educators invited to attend a national conference of teacher education and news media.

This invitational conference, sponsored by the American Association of Colleges for Teacher Education and financed by the U. S. Office of Education, will assess the implications of new media technology upon the future of teacher education. The five-day meeting of education media specialists will open at the University of Michigan on Jan. 8.

Dr. Johnson, who recently returned from a post-doctoral research grant to Paris, France, is program director for the International Relations Section, Department of Audio - Visual Instruction, National Education Association. In this capacity, he has been active with Education Association as audio - visual specialist on the national and the international scene.

American Math Society Meets Feb. 25

NEW YORK — The 67th meeting of the American Mathematical Society will be held at Hunter college, New York, Feb. 25, 1961.

By invitation of the Committee on Select Hour Speakers for Eastern Sectional Meetings, Professor John Wermer of Brown university will address the Society on "Uniform approximation and maximal ideal space" in Room 300 at 2:00 p.m.

The registration desk will be open from 9 a.m. till 3:30 p.m. and will be located on the third floor between the elevator and Room 300. Room 305 will serve as a coat room and Rooms 302 and 306 as conversation rooms.

There will be sessions for contributed papers Satuday morning and afternoon. Abstracts of contributed papers should be sent to The American Mathematical Society, 190 Hope street, Providence 6, Rhode Island in time to arrive prior to the deadline, Jan. 12, 1961.

Hunter college is on Park Avenue at 68th Street. It may be reached from the area of Grand Central Station by the Lexington Avenue subway, which has a 68th Street stop. Persons attending the meeting are requested to use the entrance on 69th Street. Elevator service will be provided.

Consultants, Directors Of Language Workshop

The Informer Pl Sat 8-19-61



Directors and consultants of the Language Arts Workshop and Reading Conference held recently at Prairie View A & M College posed for this photograph following the closing session. They are from left, Carl C Weems, department of Education at Prairie View; Dr J L Brown, coordinator; Miss Dorothy Ingram of Port Arthur, president of the Texas Principals Association; Dr J W Echols, conference director; Mr Harry L Lewis, Washington, D C, consultant; and Mrs A C Preston co-director of the workshop and conference.

This program was designed for the purpose of improving reading in the Elementary Schools of Texas.

NACS elects Dr. Player

DENVER, Col. — Dr. Willa B. Player, president of Bennett College, Greensboro, N.C., was elected vice-president of the National Association of Colleges and Schools of the Methodist Church at the annual convention of the organization here, Tuesday.

In addition to membership in Kappa Delta Pi and Pi Lambda Theta, national honor societies, and the American Association of University Women, Dr. Player is a vice president of the North Carolina Council of Churches, a member of the Women's Planning Committee, Japan International Christian University Foundation, Inc., and a member of the General Board of Education of the Methodist Church.

She is also listed in Who's Who in American Education, Who's Who of American Women, Who's Who in Methodism and Who's Who in America.

State-wide Meeting of Negroes in Atlanta

The Courier

ATLANTA, Ga. — The Georgia Conference on Educational Opportunities responded to a persistent demand on the part of interested citizens across the state by calling a state-wide meeting in Atlanta, March 3 in the sanctuary of Warren Memorial Methodist Church, Rev. G. S. Stinson, pastor.

This "Grass Root" upsurge in the educational welfare of the Negro child that is now being made manifest, is largely the result of a meeting the "conference" held in ten congressional districts within the past 30 days, according to GCEO president, Jesse O. Thomas.

The first meeting was held in Gainesville on Jan. 5, which was attended by representatives from the following counties: Hall, Jackson, Barrow, Forsyth, Cherokee and Stephens.

■

THE MEETING for the Fifth Congressional District was held in Atlanta, Jan. 9, with representation from all of the counties within the Fifth District. On Jan. 12, the citizens representing the counties of the Fourth District met in Griffin with more than 200 people from the following counties being represented: Troup, Coweta, Henry, Butts, Fayetts, Upson, Meriwether and Pike.

The Sixth Congressional District meeting was held in Macon on Jan. 19, with five counties present. Congressional District One with representation from eight counties overran the auditorium of the Broad Street YMCA. Congressional Districts Eight and Two, with representation from some 15 counties were most insistent that the Georgia Conference on Educational Opportunities call a state-wide meeting.

■

THE CITIZENS of Congressional District Ten met in Augusta, with the largest attendance, with the largest number of counties represented, passed unanimously three strong resolutions.

Congressional Districts Seven and Three meeting at Cartersville and Cordele respectively were represented by the following counties: Bartow, Cobb, Polk, Floyd, Mace, Crisp, Dooly, Webster and Terrell. This marked the closing of the series of congressional meetings with high enthusiasm and strong insistences that the state-wide meeting be called.

All of these congressional districts unanimously voted to come to Atlanta for this meeting—one they called a "10,000 Citizens for Education."

14b 1961

Deans, Registrars Meet March 13-15

PRAIRIE VIEW, Texas — The college will serve as host to the annual meeting of the National Association of Collegiate Deans and Registrars on March 13-15.

Outstanding speakers scheduled for the three day session include Dr. M. T. Harrington, Chancellor, Texas A. and M. College System; Dr. Felton C. Clark, President, Southern University, Baton Rouge, Louisiana; and Dr. W. H. Martin, Dean of Faculty, Hampton Institute.

Over a hundred deans and registrars in colleges across the nation are expected to be in attendance.

A high light among the social activities and courteousies planned for the visitors will be a Pan-Hellenic affair, including a Spring Dance, reception and courtesy hour scheduled for Tuesday evening March 14. The Greek letter organizations among faculty members will go all out to entertain the distinguished guest.

All sessions of the conference will be held in the Student Center.



Delegates To Classroom Teachers Conference

The Southeast Conference of the National Educational Association's Department of Classroom Teachers was held recently at the Carillon Hotel in Miami Beach, Fla. The three-day meeting was attended by 750 teachers from West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi and Florida.

Delegates to the conference included, left to right: Mrs. Juanita F. Barnette, Mrs. Ruth B. Jones, Miss Josephine Braswell and Mrs. Mary P. Smith.



CONSULTANTS—Three leading authorities on conservation education will serve as consultants for the 14th annual meeting of the North Carolina Resource-Use Education Conference at North Carolina College, Nov. 16. Left to right: Dr. Grace L. Hewell, U. S. Department of Health, Education and Welfare; Dr. Margaret J. McKibben, science specialist, also of HEW, and Dr. John P. McIntyre, New York.

Expect 2,000 At Resource Conference

DURHAM, N. C.—A host of dignitaries, including Gov. Terry Sanford, will participate in the 14th annual meeting of the Resource-Use Education Conference at North Carolina College at Durham on Nov. 16.

According to Dr. T. R. Speigner, conference director, Governor Sanford, North Carolina's "quality education Governor," will deliver the keynote address.

The Governor will be welcomed to Durham by Mayor E. J. Evans and to NCC by President Alfonso Elder. Dr. Elder will also introduce the Governor to the more than 2,000 persons expected to attend the Resource-Use Conference.

SOME OF THE country's leading authorities in conservation education are slated for main roles on the program. Dr. Speigner said.

These include Dr. Grace L. Hewell, program coordination officer of the Department of Health, Education and Welfare; Dr. Margaret J. McKibben, science specialist, also with the U. S. HEW Department, and Dr. John P. McIntyre, director of curriculum for the Joint Council on Economic Education of New York.

"Quality Teaching and Learning Through Conservation and Resource-Use Education Practices," is the theme of the one day meeting, which will attract high school supervisors, principals, teachers, students, and parents from all sections of the state.

Other participating in the program include Miss Maude E. Freeman, supervisor of Halifax County Schools; Elliott B. Palmer, principal of Lakeview Elementary School of Durham; Mrs. Clara E. Douglas, supervisor of Forsyth County Schools; Mrs. Naoma A. Morgan, president of the Durham Association of Public School Teachers; W. J. Hankins, president of the NCC Student Government, and Mrs. Wilma C. Bryant, Persons County High School.

Education Fund Plan Designed To Aid Students

An education fund plan has been made available to students attending Allied Institute of Technology, 1338 S. Michigan ave., Chicago 5, Ill. The plan was developed under the direction of Mr. Harry Lebeson, president of the Institute, to assist mechanically inclined men.

By taking advantage of the plan, students can pay most of their tuition out of their earnings while attending school.

The Allied Education Fund Plan will be found very helpful by high school graduates who have not had the opportunity to build their own financial resources, and whose parents may be able to offer only limited financial assistance.

It is also offered to older men who wish to make a change as quickly as possible to better paying job opportunities, but who may have financial obligations which limit their immediately available funds.

Young men planning to learn a high paying trade or to become professional engineers can begin their training in short courses at home or at the Allied Institute and continue progressively toward an engiineering degree.

Training is offered in the following fields: Mechanical Drafting, Tool and Die Making, Tool and Die Designing, Indnstrial and Tool Engineering, Air Conditioning, Heating and Refrigeration, Industrial Electronics and Auto Mechanics.

Under the Education Fund Plan the student can pay for his training on a small budget plan without interest or carrying charge.

For detailed information you are invited to write to Harry Lebeson, President of Allied Institute of Technology, 1338 S. Michigan ave., Chicago 5, Ill.

14c 1961

Announce Ward Foundation

Chicago Defender P. 13

$60,000 Grant

11-17-61

An announcement was made by Orville J. Taylor, chairman of the A. Montgomery Ward Foundation, of a grant by the Foundation of $60,000 toward the purchase of the Lake View Building as a United Protestant Center and headquarters for Church Federation of Greater Chicago. The announcement was made at a luncheon meeting held at the Union League club.

The Church Federation headquarters will include a chapel and assembly room to be titled "The Marjorie Montgomery Ward Baker Chapel" as a memorial to Mrs. Baker who established the A. Montgomery Ward Foundation.

The total grant is made subject to the Federation's railling the full purchase price of the Lake View Building, but the first half of the grant will become available when sufficient funds have been raised to purchase the building on contract. This should require approximately $300,000.00.

Roy Ingersoll, chairman of the Headquarters Campaign Committee, presided at the luncheon. Plans were announced for the continuation of a special gifts canvass up to Nov. 30, on which date a more general campaign will be launched.

It is hoped that the preliminary canvass will produce a substantial part of the total of $600,000 the Federation needs to acquire the Lake View Building.

14c 1961

CORDELL HULL FOUNDATION FOR INTERNATIONAL EDUCATION

Barnett To Aid Exchange Plan

The Commercial Appeal
Memphis, Tenn.
3-24-61

Ten Mississippi Teachers Will Work In Schools Of Latin America

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., March 23.—Gov. Ross Barnett Thursday pledged the cooperation of his 15-member Inter-American Development Committee to the Latin America teache exchange program of the Cordell Hull Foundation for International Education.

The foundation's "pilot" plan, which calls for about 10 Mississippi teachers as a starter, was presented the Governor by a delegation from New Orleans headed by Father W. Patrick Donnelly, president of Loyola University and chairman of the organization's scholarship committee.

Program Discussion

Frank R. Ahlgren, editor of The Commercial Appeal, is a member of the Foundation's board of trustees.

The full program will be discussed here next Thursday at a meeting of the Governor's committee headed by David Cottrell, president of the State Bar Association of Gulfport, and representatives of the foundation. The committee was named last month after the Governor returned from a goodwill trip to Latin American countries.

Mario Bermudez, executive vice president of the Foundation which has its headquarters in New Orleans where it is administered by the International House, said the teacher exchange would be supported from the local level under sponsorship of community groups.

"This is a proposal for better Spanish-language training of seasoned high school teachers in this country and at the same time the better English-language training of such teachers in Latin America through a teacher-exchange system handled and financed at the home town level," Mr. Bermudez explained. "The cost of such a project would depend on the local arrangements."

Language Difficulty

He pointed out that the "inability of most Americans to speak adequate Spanish is the biggest difficulty in the way of understanding between the United States and the Spanish-speaking countries of Latin America."

"Multiplied over and over on the community level, this project could have tremendous results, gradually leading to a better understanding and knowledge of Latin America and the United States as natural allies," Mr. Bermudez said. "It would have to be done on the grand scale to be effective, but it would spring from a single exchange or unit, multiplied by as many cities and states as could be interested."

He said that the "teachers should be dedicated teachers who would continue to practice their profession—not use this as a leap to something else.

"The Cordell Hull Foundation could be the co-ordinator in matching communities and helping select the Spanish teacher since it has facilities for this," he said.

Little Cost

"This could be done at little or no cost. The principal cost of this plan would be travel expenses for each teacher, a living allowance to supplement the exchange salary for a year and nothing else."

Others in the group presenting the plan to Governor Barnett included Charles Nutter, secretary of the board and general manager of the International House; and H. P. Shallett, chairman of the New Orleans Airport Commission.

Reporting Service Gets Ford Grant

NASHVILLE, Tenn. — The Ford Foundation has granted $390,000 to the Southern Education Reporting Service for the biennium J[illegible] 1, 1961, through June 30, 1963. Notification that the Foundation had approved the grant was given to Frank Ahlgren, editor of the Memphis Commercial Appeal and chairman of the SERS board of directors, who made the announcement.

SERS was established in 1954 by a group of Southern editors and educators who felt the need for an agency to collect and disseminate accurate, objective information about developments in education arising from the U. S. Supreme Court decision in the public school desegregation cases. Financial support for the project has come from the Ford Foundation since the beginning.

$1.3 Billion In Ford's Grants Over Decade

NEW YORK — The Ford Foundation made grants totaling more than $1.3 billion during its first 10 years as a national philanthropy, according to a review of its activities published as part of its 1960 annual report.

During the fiscal year ended Sept. 30, 1960, the foundation made new program commitments of $160,710,903, compared with $113,965,868 during the preceding fiscal year. Income totaled $127,353,638 in fiscal 1960, compared with $84,625,525 in fiscal 1959.

THE 10-YEAR review, presented by Henry T. Heald, president of the foundation, covered the foundation's grant-making activity since its reconstitution in 1950 from a primarily local philanthropy in Detroit to a national institution.

Commitments for 1960 follow:

Special program in education, $46,000,000; education in the U. S. $16,025,195; youth development, $2,957,700; public affairs, $2,758,000; problems of the aging, $1,507,000; urban and regional program, 2,011,400; humanities and the arts.$ 2,165,100.

Also, economic development and administration, $11,206,808; science and engineering, $12,081,300; international training and research, $23,983,400; international affairs, 7,020,000; and overseas development, $32,400.

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Ford Foundation's Grants Top 1.3 Billion in 10 Years

NEW YORK, Jan. 12 (UPI)— The Ford Foundation announced today that in 10 years of operation as a private philanthropic organization it has given away $1,339,700,000.

The largest share of the foundation's expenditures on grants and self-administered projects over the last decade—$533.7 million—went to formal educational programs.

Other major categories included $293.7 million for hospitals and medical schools; $258.9 million for various international activities; $97.9 million for the promotional of the arts and sciences; $71.5 million on economics and business; and $68 million in the field of public affairs. Another $14 million went to miscellaneous projects.

Annual Report

Details of the foundation's activities since its reconstitution in 1950 from a primarily local philanthropy in the Detroit area were made known as part of the organization's 1960 annual report.

Its programs for 1960 totaled $160,710,903, about $47 million more than in 1959 and the biggest expenditure for any year except 1956, when the foundation made the bulk of its capital grants for faculty salaries hospitals and medical schools.

Henry T. Heald, president of the foundation, said the 10-year record is proof individuals and organizations outside government still have an important role to play in helping to build and refine American society.

Challenge To Individual

"Far from implying a forefeit of private responsibilities, government expansion poses special challenges to individual initiative and ingenuity," Heald said. "While not entirely precluded from boldness and imagination, responsible government in a democratic society cannot habitually experiment and venture beyond public sentiment.

"Thus, it is ever more the responsibility of individuals and institutions outside government to serve as the crucible in which new approaches are identified, and promising ideas tested."

Over the 10-year period, more than $1.2 billion of the grants went to institutions and individuals in the United States. About $115 million, or nearly 10 per cent of the total of all grants, was allocated for about 20,000 fellowships, scholarships and grants-in-aid to students and teachers.

Assets $2.5 Billion

The foundation draws most of its income from investment in stocks and securities. The market value of its assets as of Sept. 30, 1960, was $2,505,000,000.

During 1960 its income totaled $127.4 million, $38.3 million less than its expenditures, necessitating a so-called "invasion" of capital. Since the establishment, the foundation's total invasion of capital amounts to $442.4 million.

Ford Foundation Scans First Decade

By a Staff Correspondent of The Christian Science Monitor

New York

Grants totaling more than $1,300,000,000 have been made by the Ford Foundation during its first 10 years as a national philanthropy, chiefly in the field of education, according to its 1960 annual report.

Describing itself as a "crucible in which new approaches are identified, and promising ideas tested," the foundation disclosed that the largest single field of its grants, accounting for $534,000,000, has been in formal education programs. These, the report states, seek to strengthen the educational enterprise and process in all aspects from the individual student and scholar to an array of institutions."

Almost 20 per cent of the foundation's grants have been in the field of international affairs, international training and research, and overseas development, with funds filtering into 52 countries. In addition, the foundation has strengthened the principal domestic centers of research and training in foreign areas and international relations and sought to fan interest in international training and research in other colleges and universities.

Salaries Prodded

Looking back over its first decade, the foundation found the following accomplishments:

- Grants of $260,000,000 to help raise faculty salaries in private colleges and universities throughout the United States helped draw national attention to the underpaid college teacher and to generate waves of support from many other sources.
- The funding of 5,000 fellowships through the Woodrow Wilson National Fellowship Foundation and, this year, an experiment among 14 institutions to strengthen the master's degree attacked the problem of attracting and training able students for college teaching careers.
- A nationwide effort involving cooperation among colleges, universities, and local school systems has been supported to strengthen the preparation of teachers for elementary and secondary schools.
- The National Merit Scholarship Corporation was established as an apparatus for systematic identification, encouragement, and support of talented youngsters to help them obtain a college education.

Changes Adapted

- Through the establishment of the Fund for the Advancement of Education, the foundation helped map many new directions in educational experimentation and innovation. Many communities are adapting these changes—particularly in the better utilization of teachers and the employment of such technology as television—to their own needs.
- Major reforms in the business schools of the nation have been encouraged by a wide range of grants and fellowships.
- Problems of urban living and regional development have come under analysis and attack by alliances of university scholars, technical experts, and lay and political leaders through strategically placed support and demonstrations.
- Diverse talents have been identified and supported in order to conceive and test new approaches to such vexing problems as the neglect of the social and economic needs and resources of the aged, juvenile delinqency, the recruitment of talented persons and the improvement of competence at all levels of government, and the fuller participation of citizens in public affairs.

3 large school systems to share $210,000 grant

The Afro-American
Baltimore, Md.

NEW YORK — A concerted program to improve the education of pupils in blighted neighborhoods of the nation's largest cities has received further assistance from the Ford Foundation, it was announced Sunday.

The Foundation reported new grants totaling $210,000 for the school systems of Buffalo, San Francisco and Washington. These bring to 10 the number of cities that have received a total of $1,027,025 in Ford grants since May.

Dat. 1-28-61

THE FUNDS are supporting attacks on such problems as high failure and dropout rates, poor attendance records, and low levels of aspiration and achievement that cripple the education of school children in depressed neighborhoods.

Most of the schools involved in the experiments are located in "gray area" neighborhoods that lie between the cities' commercial centers and new suburbs.

In addititon to the three cities whose grants were announced Sunday, other cities in the program that have received Foundation grants are Chicago, Cleveland, Detroit, Milwaukee, Philadelphia, Pittsburgh and St. Louis.

* * *

THE 10 school systems that have received grants are members of the Great Cities School Improvement Program, begun four years ago by superintendents of schools and school-board members of 14 large cities.

These public - school authorities estimate that nearly one-third of the more than three million pupils in their schools are handicapped by language and other factors in their backgrounds that limit their classroom learning.

Court Affirms Death Sent.

The death sentence conviction of Joe Edward Smith, one of two Houston youths convicted for the 1959 icebox murder of William Bodenheimer II, was affirmed last week by the Court of Criminal Appeals.

FORD FOUNDATION GIVES 15 MILLION

Non-Western Studies to Be Developed With Grants

By FRED M. HECHINGER

The Ford Foundation announced grants yesterday of more than $15,000,000 for the long-term development of non-Western and other international studies.

Included was $7,500,000 to be shared by Princeton University and the Universities of Michigan and Washington.

The grants bring to nearly $36,000,000 the foundation's support since 1960 of university international studies.

In contrast to the more usual foundation support of short-term experiments, the foundation pointed out, these grants will aid programs for periods of up to ten years. The aim is the comprehensive development of the universities' international interests and especially non-Western studies, "in which American competence has traditionally been limited."

The grants also will aid the Modern Language Association and foreign universities, schools and organizations. Among the recipients of grants of more than $300,000 will be institutions in Argentina, Chile, Turkey, Indonesia, India, Burma and the United Arab Republic.

The University of Michigan, which will receive $3,000,000, will undertake what it considers the first major study of Chinese Communist law an dthe publication of a textbook on Chinese legal institutions. Texts used in Red China's Communist party schools are to be used as source material.

Michigan will also use the grant for long-range support of its graduate training and research centers in the far and Middle East; for its center for research on problems of war and peace, and for studies on the Soviet Union, South and Southeast Asia, economic development of underdeveloped nations and problems of international law and business.

Princeton University, which will receive $2,500,000, plans a ten-year expansion of its Near Eastern and Asian studies; interdisciplinary studies in the social sciences and humanities dealing with Latin American, Africa, the Soviet Union and Eastern Europe, and research on major problems of foreign policy by its Center of International Studies.

The University of Washington, which will get $2,000,000 will use most of the grant for its program on Inner Asia, believed to be the only one in the United States—and area studies on China, Japan and the Soviet Union.

Part of the funds will support the university's Center for Comparative Studies in Economic History and Economic Growth, a new center for Asian Arts and a program in comparative and international law.

A $1,300,000 grant to the Modern Language Association will strengthen "American competence in critical but neglected non-Western languages" and American aid to Asian and African countries in the teaching of English.

A $400,000 grant to Argentina will be used to improve secondary-school science teaching and aid scientific research.

The University of Chile will get $1,160,000 to develop a new program of regional university colleges in the provinces and to initiate a graduate economics program.

The University of Michigan Law School said yesterday that its special program would be undertaken by three scholars. It named Dr. Whitmore Gray, expert on Soviet law, and Dr. Tao Tai-hsia, head of the Far Eastern law division of the Library of Congress.

A spokesman said it was hoped that Prof. Kenneth Wang of St. John's University, former Professor of Law in Shanghai, would join the study. Professor Wang said yesterday that no decision had been reached.

Ford Foundation Gives Calcutta 1.4 Million for Urban Planning.

The Ford Foundation announced grants of $1,400,000 yesterday to help Calcutta, India's largest city, solve what the foundation called the world's most serious urban problem.

Of the total, $800,000 will provide consultants to aid the state of West Bengal establish a master development plan for Calcutta. The rest will go to the Institute of Public Administration in New York for urban research and training in aid of the Calcutta project.

The foundation noted that the population of Calcutta had increased from 3,500,000 in 1948 to 6,000,000 last year and was expected to reach 12,000,000 by 1980.

Conditions Deteriorate

"Housing and sanitary conditions have deteriorated appallingly," it said. "People sleep eight and ten to a room; 650,000 have nowhere to sleep but the streets. Water supplies are poor and unreliable, so that cholera is endemic.

"Indian leaders are deeply concerned about Calcutta. The difficult living conditions nurture unrest and tension that frequently boil over in disorder and destruction. The municipal corporation's resources are meagre in relation to the need. Of Calcutta's twenty-seven city councilmen, twenty-four have been elected on the Communist party ticket."

The foundation said the Government of India and the state of West Bengal had decided to help Calcutta carry out a development plan.

Consultants will be provided by the foundation in land planning, community design, housing, transportation, engineering, sanitation, economic and social research, fiscal planning and administration.

14c 1961

'MOM AND DAD'

He Gives What He Never Had

The Atlanta Journal and Constitution

By ROBERT McHUGH

COLUMBIA, S.C., Nov. 25 (AP)—At 82, James Francis Byrnes displays the complacent philosophy of one to whom life has been kind. "I'm at peace with the world. I'm not mad at anybody," he says.

11-26-61

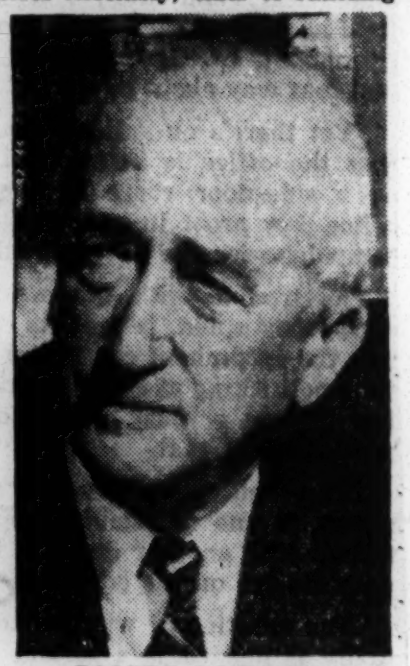
Relegated to their places in history are the explosive political battles and tension-packed diplomatic negotiations with the Russians that highlighted his spectacular half-century career in American politics.

P, 5 B

It was a career that spanned the horse and buggy and atomic ages. It embraced high posts in all three branches of federal government.

Atlanta, Ga.

Byrnes served as U.S. representative, U.S. senator, representative to the United Nations General Assembly, chief of rationing and mobilization during World War II, associate justice of the U.S. Supreme Court, secretary of state, and governor of South Carolina.



JAMES BYRNES

In honor of those achievements and their affection citizens here plan a "James and Maude Byrnes Day" Tuesday.

Since completing his term as chief executive of his native state in 1955, Byrnes has pursued an active retirement as philanthropist and historian, with occasional sorties as an elder statesman.

BYRNES' OFFICE is headquarters for what presently is his most important project—the James F. Byrnes foundation. It provides college scholarships for worthy orphans or semi-orphans.

Since the foundation was established, 264 youngsters have been helped through school on four-year, $2,000 grants.

The foundation is financed largely on proceeds from books and magazine articles Byrnes has written. He poured into it royalties from his books, "Speaking Frankly" and "All In One Lifetime," a check for $50,000 he received for newspaper syndication rights to the first book, and he keeps the kitty sweet with $470 each month from his federal retirement pay.

Recently, he added $15,000 received from a magazine for three articles. Occasionally well-heeled friends contribute added funds.

"I've been pretty lucky with investments of the foundation funds, too," says Byrnes.

BUT BYRNES REGARDS as more important than money, the personal attention he and Mrs. Brynes give to the scholarship students.

Scarcely a day passes that he doesn't get a letter from one of the students asking advice or posing a problem. He always answers.

JAMES F. BYRNES FOUNDATION

Before he sold his home on the beach at the Isle of Palms, near Charleston, Byrnes used to have the students down for a weekend picnic and dance.

Hanging on the wall of his study at his home here, is a plaque bearing the names of some 60 students and inscribed affectionately to "Mom and Dad Byrnes."

The Byrnes' have no children of their own, but find plenty of parental problems acting as advisers to 264 young people.

"Our students have become doctors, lawyers, engineers, preachers—just about everything. I take a great deal of pleasure in watching their progress," said Byrnes.

TO QUALIFY for a Byrnes foundation scholarship, a boy or girl must be without one or both parents, must be in financial need, and most importantly—must show some promise of being able to "make a contribution to society, if educated."

It is Byrnes' proud boast that only two of the 264 chosen for grants have failed in school.

In addition to handling foundation affairs, Byrnes has been busy preparing his vast collection of personal papers for eventual custody at state-supported Clemson College.

Owens To Be Feted

CHICAGO, Ill. -- (ANP) -- Former track star Jesse Owens marks the 25th anniversary of his triumph at the Olympic Games at Berlin, Germany, in 1936, at a banquet at the Sheraton Towers Hotel Friday, April 7, when he will be cited as the "Athlete of the Century."

A committee of leading citizens, headed by Mayor Richard J. Daley, is sponsoring the silver anniversary banquet. Besides the Mayor, others serving on the committee include Judge "Duke" Slater, himself a former outstanding football player; Richard L. Jones, former ambassador to Liberia and Wilfred Smith, sports editor of the Chicago Daily Tribune.

Funds from the dinner, financed by subscription, will be used to help establish the Jesse Owens Educational Foundation to aid youngsters of all races.

Babcock Foundation Grant Aiding Teachers at N.C.C.



HIGH-ABILITY PUPILS — These high-ability pupils are enrolled in the Special Education Institute at North Carolina College's summer school. Left to right: Allison Duncan, Logan Cook, Arnette Holloway and JoAnne Jones.

The Pittsburgh Courier

DURHAM, N. C.—With its second successive Mary Reynolds Babcock Foundation Inc., grant, the summer Special Education Institute at North Carolina College has expanded its program this summer to include a total of one hundred and ninety-nine enrollees.

An amount of $12,357 has enabled the Special Education Institute to include guidance for teachers of high ability children, as well as the children whom it takes a little longer to grasp skills.

The theme or major emphasis of this year's institute is placed on "facing the challenge of quality teaching in special education."

Sept. 7-22-61

THE STAFF of the institute is composed of a director, three teachers and two laboratory teachers. Mrs. Octavia B. Knight, supervisor of education at the Virginia State School at Hampton, is director of the Special Education Institute.

Piccola Marrow, Winston-Salem city schools; Mrs. Edna Revels, Winston-Salem city schools; Mrs. Floriesse Turner, Raleigh city schools; Mrs. Ethelynne Thomas, Durham city schools, and Mrs. Frenzela R. Credle, Durham County schools, complete the instructional staff.

• Forty of the teachers enrolled in the institute are recipients of scholarship grants financed by the Babcock Foundation.

The objective of the program is intended to upgrade the level of training and competences of teachers now employed as teachers of exceptional children, and to enable those planning to enter the field to begin with a higher level of preparation.

Pittsburgh, Pa.

THE PROGRAM provides opportunities for the teachers enrolled to develop a clearer perspective on the basic facts and principles underlying special educational and the nature and needs of three specific groups of exceptional children.

• According to Dr. Rose B. Browne, chairman of NCC's Department of Education, "teaching exceptional children is similar in many respects to teaching normal children. Although exceptional children may deviate in sensory, motor, mental or social characteristics, they possess the same personality characteristics, the same drives, motives, and capacities as normal children, except in the area which warrants their being regarded as exceptional."

In addition to the regular content courses, the instructional plan includes experiences in the block situation. The areas of emphasis for special education block are tests and measurements, principles of speech correction, problems of speech correction, and methods in lip reading.

• "The whole special education institute is geared for the higher ability individual and those who take a little longer to grasp skills," Dr. Browne went on to say.

Mrs. Knight, the director of the institute program, said, "If we are to meet the challenge of quality teaching in special education, we must re-evaluate our thinking in terms of providing a program designed to include all children who need special attention."

COLLEGE SCIENCE WILL GET U.S. AID

New York Times
New York, N. Y.

Kennedy's Budget Increase Provides Funds to Help Modernize Equipment

Mon. 4-3-61

14c

By JOHN W. FINNEY

Special to The New York Times.

WASHINGTON, April 2 — The National Science Foundation, which received from the Kennedy Administration its largest budget increase in history, will use some of the money to improve science education in colleges.

For the first time, the foundation will help colleges and universities improve and modernize the equipment used by undergraduates.

The foundation's budget was increased 30 per cent by the Kennedy Administration. The rise includes a $5,000,000 outlay for the undergraduate program.

Expansion a Goal

In recent years, the foundation has undertaken to provide Federal support for refurbishing graduate laboratories and for improving high school science courses and classrooms.

The foundation is moving cautiously in providing undergraduate assistance. The prospect is that the $5,000,000 will be used to buy small items, such as demonstration equipment and apparatus, and perhaps tools for repair of the equipment.

Ultimately, however, it is the hope of foundation officials that this first step will lead to a much more ambitious plan of refurbishing and modernizing undergraduate laboratory buildings.

The foundation is also planning to sponsor projects to improve undergraduate science textbooks and courses. Similar projects have been carried out for high schools, and the foundation now is finding that a revision is necessary in the undergraduate courses to keep pace with the better education received by the high-school graduates.

14c

In the revision of the Eisenhower budget by the Kennedy Administration, the foundation received one of the largest percentage increases of any Government agency. The President proposed to Congress that the foundation receive $275,000,000 in the coming fiscal year—a $65,000,000 increase over the Eisenhower budget.

If Congress, which in the past has cut the foundation's budget, approves the full Kennedy request, it would mean the foundation would receive $100,000,000 more than in the current fiscal year, which ends June 30. This would be the biggest increase since the foundation was established in 1951 with a $3,500,000 budget by a decidedly skeptical Congress.

Eisenhower Program

The increase and the way the additional funds would be spent indicate that the Kennedy Administration has adopted and enlarged upon the recommendations of the President's Science Advisory Committee under the previous administration.

This policy called not only for increased support of basic research but also for increasing emphasis upon teaching, particularly in the universities.

The new Kennedy budget, provides an increase from $15,000,000 to $30,000,000 in the funds for graduate level laboratories.

Funds for construction of research facilities, including graduate laboratories, were increased from $35,000,000 to $62,900,000.

For support of basic research, the principal functions of the National Science Foundation, the Kennedy budget proposed an increase from $88,600,000 to $105,000,000. Almost all of this money is distributed in the form of grants to researchers, primarily in universities.

Funds for scientific education were raised from $71,300,000 to $90,050,000. These funds are used in such areas as summer institutes for high school science teachers, fellowships for graduate students and summer research jobs for undergraduate science students.

14c 1961

PHELPS-STOKES FUND

O'Hara Lanier To Address UNCF Alumni Conf.

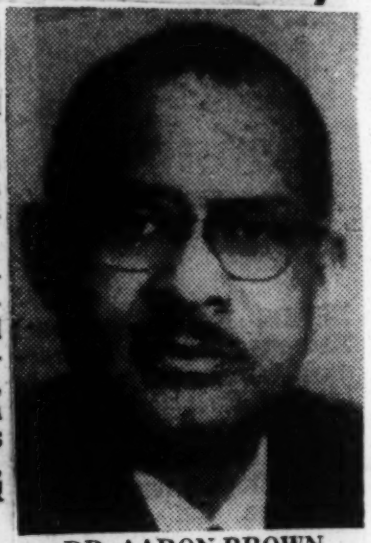
New York, Jan. 27.—Dr. R. O'Hara Lanier, projects director, Phelps-Stokes Fund, will be the major speaker at the United Negro College Fund Alumni Conference banquet meeting, Saturday evening, Feb. 11, in Daytona Beach, Fla. The announcement was made today by Rev. Master J. Wynn, president, UNCF National Alumni Council.

The 15th annual UNCF Alumni Conference will be held on the Bethune-Cookman College campus in Daytona Beach. Bethune-Cookman is one of the 32 member colleges of the United Negro College Fund.

Alumni volunteer workers from all parts of the country, UNCF students and campus alumni directors will attend the two-day series of workshops and discussion meetings. Experts will present new ideas in the techniques of educational fund-rasing to delegates for application in their own cities and on campuses during the 1961

Phelps-Stokes director in European field study

NEW YORK — Dr. Aaron Brown, project director, The Phelps - Stokes Fund of New York City, will spend several weeks in Europe as a member of a 1961 Seminar - Field Study designed to reforms and policy - making in several countries.



DR. AARON BROWN

The Seminar Group, primarily professors of Comparative Education, board members and State Department of Education Officers, will leave from Idlewild on November 10. Headquarters will be in London, Paris, Stockholm, Hamburg, and Moscow.

Dr. Brown will also observe educational practices in Vienna, Rome and Madrid. The group will spend three to five days at each stop. They will be observing, hearing lectures and participating in discussions arranged several months ago.

* * *

THE group of some 50 persons represents sixteen states and Canada. However, almost three - fourths are from California, Illinois, Ohio and New York.

Dr. Brown, the only one of his race in the Seminar, holds membership in several educational organizations including the three which are sponsoring the Seminar Travel Study. Like a few others of the Seminar, Dr. Brown will be joined by his wife, who is a teacher and a social worker. Mrs. Brown will be primarily concerned with social agencies and elementary schools.

Last year Dr. Brown, as a member of the Five - man Kennedy Foundation Commission, visited East Africa which included Kenya, Tanganyika and Uganda. He has been invited to participate in a Travel Study Group to West Central and Southern Africa in 1962.

Okolona Gets $50,000 Gift

OKOLONA, Miss. (AP) — Okolona will receive a $50,000 gift from the Rockwell Fund, with headquarters at Houston, Tex.

The fund offered the money "with no strings attached except that it will be used for religious, charitable or educational purposes," the City Council said.

Henry M. Rockwell, a partner with his brother in the fund, said the gift was in memory of their mother, who was born in Okolona in 1867. She was the former Sarah Wade Richardson.

The fund was established by the Rockwell's late father, who amassed a large fortune in the lumber business.

City officials will decide later how the money will be used.

SCEF Urges Kennedy To Push Mixing

Jackson Daily News
Jackson, Miss.
2-7-61

NEW ORLEANS (AP) — The Southern Conference Educational Fund, Inc., has urged President Kennedy to undertake a four-part program to implement federal court integration decisions in New Orleans.

A telegram to Kennedy, signed by the bi-racial group's president and five Louisiana directors, was sent after the President had told a news conference Wednesday that he would use the moral influence of his office in integration disputes "at such time as I think it is most useful and most effective."

The telegram recommended federal prosecution of those who interfere with federal court injunctions, federal aid in financing New Orleans schools, withholding of non-welfare grants to Louisiana if it holds up funds for city schools and dispatch of an executive branch representative to New Orleans to work with local representatives to organize an educational campaign on moral questions involved in the integration dispute.

Signing the telegram were president Aubrey Williams, of Montgomery, Ala., and Louisiana directors Mrs. S. S. Labouisse, Dr. Samuel L. Gandy, Herman L. Midlo and Benjamin E. Smith, of New Orleans; and Dr. C. O. Simpkins of Shreveport.

Earlier, one of the state's top segregation leaders, Rep. John S. Garett, said Kennedy "would best devote his time to Washington and straighten out that mess up there and leave the states to run their own affairs."

Garrett is chairman of the Joint Legislative Committee on Segregation.

Gov. Jimmie H. Davis declined comment.

SCEF Hails Kennedy's Stand In New Orleans Issue

The Times-Picayune
Houston, Texas
Sat. 3-4-61

NEW ORLEANS, La. — The Southern Conference Educational Fund hailed the announcement by President John F Kennedy that he is considering how his moral authority and influence might be invoked most usefully to implement court decisions in New Orleans and other places.

A telegram signed by Aubrey W Williams, president of the Fund and five Louisiana board members of SCEF, states "Your simple affirmation of the basic moral issue involved, the right of every child to attend public schools regardless of race, and to develop his maximum talents under the most beign circumstances, will have a salutary effect by encouraging local citizens, will have a salutary zens to take a similar moral stand."

The Fund's telegram to the President suggested a four-point program of executive action:

1. Make federal funds available immediately to the Orleans Parish School Board.

2. "If the state government persists in withholding school funds or in other ways willfully obstructing implementation of court orders, the federal government will withhold non-welfare grants to the state, such as grants for roads and harbors.

3. "Federal prosecution of all who interfere with federal court injunctions, including those responsible for intimidation, and vandalism, and employers who dismiss employees for sending their children to desegregated schools.

4. "Send a personal representative to New Orleans to confer with inter-racial leaders concerning a broad campaign of education at the national and local level to expand public understanding of the moral principles involved in what is too often considered as merely a legal controversy."

Noted Author Lists Aims

Journal and Guide
Norfolk, Va.
Sept 1-61

Faulkner Foundation Will Observe No Race Barriers

RICHMOND — "Worthy students of any race, creed or color," and particularly "Negro students from the state of Mississippi" will be eligible for assistance from the William Faulkner Foundation, according to articles of incorporation filed h$ere.

The foundation, established by the Mississippi author and novelist who is teaching now at the University of Virginia,"wtahaesrerdchrTu- s i ginia," was chartered Thursday by the ViginaiCorporation Commission.

THE PAPERS were filed by Paul D. Summers Jr., of Charlottesville, Mr. Faulkner's son-in-law.

He said that the Nobel prize-winning author donated cash and some of his manuscripts to the foundation, but it will be aided by any person who agrees with Mr. Faulkner's ideas and wants to help.

THE FOUNDATION will encourage and promote understanding of American literature generally, and particulary the works of novelists.

It will help educational institutions, hospitals, churches, and other institutions, but will not engage in propaganda or political campaigning.

6 MIDWESTERN COLLEGES GET FUND GRANTS

Chicago Daily Tribune

Mon. 1-9-61

Money Designated for Graduate Education

[Chicago Tribune Press Service]

Princeton, N. J., Jan. 8—The Woodrow Wilson National Fellowship Foundation today announced that 75 graduate schools in the United States and Canada will get grants totaling $1,814,000 in its program to speed the output of college teachers.

Among midwestern institutions getting substantial sums are the University of Wisconsin, $76,000; the University of Chicago, $64,000; the University of Michigan, $38,000; Northwestern university, $28,000 and Indiana university, $25,000. The University of Illinois is down for $18,000.

Two Get Top Grants

The largest grants—$200,000 each—went to Harvard and Columbia. Other large recipients were the University of California, Berkeley, $183,000, Yale, $150,000; Princeton, $94,000; Radcliffe, $70,000; Stanford, $67,000; Cornell, $66,000; Pennsylvania, $52,000; Johns Hopkins, $48,000; Massachusetts Institute of Technology, $32,000 and Toronto, $28,000.

Dr. Hugh Taylor, foundation president, said the funds will be used to provide financial assistance for advanced graduate students and to strengthen graduate education in general.

The money will be given in the form of a $2,000 subsidy to each Woodrow Wilson fellow enrolled in the graduate schools. Taylor explained, however, that the grants need not be awarded to Woodrow Wilson fellows but must be used essentially to support graduate students who are interested in college teaching careers. Nominations for fellowships are recruited by faculty members.

Results "Highly Gratifying"

Grants since the foundation started the program three years ago total almost $6,000,000, Taylor said, adding that results so far have been "highly gratifying."

"The increased aid to graduate students has resulted in a speeding up in the attainment of doctoral degrees and has acted as a stimulus to the output of college teachers," he said.

The foundation was incorporated in 1957 to recruit outstanding college students for the college teaching profession. The program is financed by a five year grant of $24,500,000 from the Ford Foundation.

A total of 10,700 fellowship nominations, representing a 24 per cent increase over the previous year, are being processed by 15 regional committees. The winners for the 1961-62 academic year will be announced in mid-March.

Woodrow Wilson Found'n Supports Jackson College Honors Program

Jackson Advocate
Jackson, Miss.
Sat. 2-11-61

Officials of the Woodrow Wilson Fellowship Foundation have given approval and support to an honors program to be conducted by Jackson State College beginning with the Spring Quarter, 1960-61.

Jackson State College has been conducting an honors program for the past three years for selected freshman students, and on a more general basis to upperclassmen.

The Woodrow Wilson grant will enable the College to work intensively, using the interdisciplinary approach, with a selected group of talented students of the sophomore, junior, and senior college levels.

The emphasis will be on intensive reading and writing in the arts and sciences with appropriate philosophical and historical background material. Dr. John B. Eubanks has been nominated by the College to direct this program.

Board Of Education Accepts Offer To Update County Schools Survey

The Montgomery Advertiser p. 12c Th, 10-27-61

By MILDRED SMITH

The Montgomery County Board of Education accepted an offer Thursday from the Chamber of Commerce education committee to bring up to date a comprehensive survey of the county school system made by a special citizens committee in 1955.

The offer was accepted after a detailed discussion in which Carl Bear, education committee chairman, told the board it was their purpose to make known to the members that the Chamber of Commerce was willing to reactivate this committee, and up-date the survey to show the people of Montgomery County just what the needs of education before the bill for an additional five mill ad vaolorem tax for schools comes up for a vote.

Bear spoke out in favor of facing up to the education problem "before the county gets into real trouble."

"We realize the schools generally in Alabama are in serious financial condition," he said, "and while it hasn't hit Montgomery with full force yet, we would be foolhardy if we didn't anticipate the time when stark reality hits."

FIVE MILL TAX

Pointing out that the legislature passed a bill providing for an additional five mill ad valorem tax for school purposes to be voted on in the May primary, and that also in the May primary counties might vote an additional five mill tax for schools, Bear expressed the belief that ad valorem tax was the best basis for school money, but on a county basis rather than a statewide basis when it would be divided among all the counties.

"It will take some effort to bring about the proper circumstance for people to vote favorably on this bill," Bear concluded.

The proposed comprehensive survey would serve this purpose, he indicated.

No target date was set for starting the survey until it is given approval by the Chamber of Commerce membership.

Holman Head and Dick Reid also appeared as representatives of the Chamber of Commerce education committee.

FINANCIAL STATEMENT

In connection with the discussion, Walter T. McKee, superintendent of schools, gave a financial statement showing that in 1960-61, the county schools received 64.2 per cent of all revenue, or $4,360,051.35 from the state; 10.2 per cent, or $683,892.26, from the federal government; and 25.6 per cent or $1,744,652.21 from local revenues (the seven mill property tax and one-cent per gallon gasoline tax).

He said 1.6 per cent or $95,415.21 of the total funds was used for general control; 87.7 per cent or $5,332,002.84 for instruction; 4.8 per cent or $291,066.77 for operation; 2.5 per cent or $153,997.12 for maintenance; 3 per cent or $177,172.85 for auxiliary agencies; and .4 per cent or $26,152.23 for fixed charges. Other expenditures included $250,533.88 for capital outlay; $44,528.75 for debt service, $3,813.54 for refunds; $1,153,901.43 bond issue money.

The average expenditure per pupil in average daily attendance, McKee said, was $180.78 or $1.03 per day.

NEW BUILDINGS

He also reported 22 new school buildings completed during the year, with none having less than 20 classrooms; 701 classrooms, 26 combination lunchroom - auditoriums; three lunchrooms; four lunchroom additions; four gymnasiums; one auditorium; one vocational building. Total cost was $10,358,978.

McKee said further that the board of education had averaged building one classroom per week since 1946 and they were paid for approximately as follows: $3.3 million, federal funds; $2.3 million, state funds; $4.8 million, local funds. This includes only the contract cost of the buildings and does not include the costs of sites, equipment and architects' fees.

He reported rooms now under construction or to be started soon as follows: Houston Hills, 20 rooms; Lamar School, 20 rooms; Flowers, four rooms; Lanier gymnasium; Lee auditorium.

Reporting on proration for the past five years, McKee said proration in 1956-57 was 2.77 per cent, and cost the county $89,742; in 1957-58 it was 7.82 per cent and cost the county $272,029 per cent; in 1958-59, it was 3.54 per cent and cost the county $129,369; in 1959-60, it was 8.35 per cent and cost the county $371,814; and in 1960-61 it rose to 14.14 per cent and the county suffered a loss of $639,417.

ENROLLMENT UP

McKee gave statistics showing the annual brith rate grew from 1,701 in 1936 to 4,708 in 1960, and that the school enrollment grew from 19,908 in 1936 to 37,546 in 1960. The enrollment this year is already 36,567, and at the end of the first month, there were 1,310 more children enrolled than at the end of the first month a year ago.

At the open of school, Lee had 1,479 and Lanier had 1,961. Comparative figures show that in May, 1955, Lanier had 1,829 pupils and it was the only senior high school. The average increase has been 1,100 pupils per year and this figure is expected to climb to 1,200 for the next few years.

He listed the teacher salary schedule at $403 to $503 for teachers with bachelor's degrees and $446 to $561 for those with master's degrees. The scale for janitors and bus drivers was listed at $140 to $160 per month and student bus drivers at $45 per month.

Alabama ranks seventh among Southern states in the average salary of classroom teachers and 48th among all states in per capita tax collections of state and local governments. It ranks 49th in the nation in estimated current expendidture per pupil and 48th in pupil-teacher ratio in public elementary and secondary schools.

IN THE WIREGRASS

Ozark's School Board Receives Federal Funds

D.D. Dothan Eagle-Journal

By MATTIE LEE HILDRETH
Advertiser Correspondent

Ozark City School Board has received certification for receipt of $67,689 in Federal school funds. According to Supt. Thomas Alexander, the check should reach the office of the superintendent of education within a few days.

Jun 12-10-61

The money allocated goes into the general fund and is used for current operating expenses.

The money is authorized by the United States government for payment to local schools near armed services installations for dependents education.

Each year a certain amount is allocated according to the number of Army dependents, who attend Ozark City schools.

Explaining further, Alexander said that Federal installations do not pay local taxes, a certain amount of which would be used for educational purpose is paid directly from federal sources. The tax equalization measure enables the government to maintain tax-free status, yet allocate money to make up for the tax loss.

Other schools in Dale County will receive federal assistance under the same law (public law 874).

Montgomery

The school district has had to use local funds to make up for the loss of state school funds when proration left them without state assistance.

Alexander said, "We are indeed grateful for the federal money. He said, he didn't know just how the problems of prorating the limited state funds for schools could be solved. "I have several suggestions, but it would be a grand thing if Alabama could actually do something about it."

HEADQUARTERS LIBRARY of the Choctawhatchee Regional Library in Ozark was the site for contract signing by heads of the county's appropriating bodies to bring Dale, Henry, Pike and Barbour Counties into the regional organization of which Mrs. Alice M. Doughtie of Ozark is administrator.

Signing the contracts were Probate Judge S. Kirke Adams of Dale; Probate Judge T. R. Ward of Henry; Probate Judge Ben Reeves of Pike, and Revenue Board President Marshall Williams of Barbour County. Signing with the four county appropriating bodies was Mrs. Elizabeth Parks Beamguard, director, Alabama Public Library Service, Montgomery.

Accompanying Mrs. Beamguard were Mrs. Mozelle Cummings, director of Field Representatives of the Library Service; Mrs. Nancy Gonze, area librarian; and Mrs. Rebecca Adkins, director of a recently organized regional library which joined Marion and and Lamar Counties and goes under the name of Marion-La Pioneer Regional Library.

Four new board members from Barbour County were present. They included William Couric, Eufaula; Mrs. Ed Grant, Louisville; Mrs. Jane B. Knight, Clio; and Mrs. D. L. Hightower, Clayton. Mrs. Ben Windham, Daleville, newly appointed board member from Dale County was present for the first time.

Libraries are located at Abbeville, Brundidge, Clayton, Eufaula, Headland, Ozark and Troy with a population of more than 97,000. Two bookmobiles also serve the area, one operating in Pike and Barbour and another one serving Dale and Henry.

Patterson Has Funds Problem

No Money Is Appropriated To Operate State In Alabama

By United Press International

MONTGOMERY, Ala., Sept. 3.—Gov. John Patterson Monday faced one of the most difficult problems of his political life — how to find in three weeks enough money to keep state machinery rolling.

When the current fiscal year ends at midnight Sept. 30, the appropriations bill which supplied funds to run the various state agencies also will expire. There is no new budget to go into effect.

The proposed 43.5-million dollar general appropriations bill died in the Senate early Saturday morning when Lt. Gov. Albert Boutwell gavelled the regular 1961 session of the Legislature to a close. Only two members, Senators Carl Golson of Ft. Deposit and Hugh Moses of Hamilton, refused to allow the money bill to reach a vote.

Confused Situation

Without funds, the state is now placed in an unpleasant, unprecedented and thoroughly confused situation.

Obviously, certain state agencies must continue to operate or Alabama could drift back to its post Civil War condition. The highway patrol must enforce laws; the health department must save lives. But no one really knows where the money will come from.

The state constitution requires that "No money shall be paid out of the treasury, except upon appropriations made by law." As interpreted by the courts, the rule also was "to prohibit executive power from controlling the public purse."

Four Ways To Turn

Under these circumstances, it would appear Governor Patterson has but four ways to turn:

Call a special session within the next three weeks and pass a general appropriations bill.

Appropriate the funds himself, legally or otherwise.

Ask the Supreme Court to determine which of the state agencies provide necessary services, and then empower the Governor to appropriate funds for those departments.

Take no action and allow the state machinery to grind to a halt Sept. 30.

No Session Wanted

Governor Patterson indicated immediately after the session ended he did not wish to call a special session. However, public pressure might force him to recall the legislators to Montgomery for the five-days necessary to ram an appropriation bill through both chambers.

The special five-day session would cost the state up to $50,000—but it might also solve the redistricting issue if the Governor reintroduced his suggested 9-8 plan. Legislators who fought both the redistricting issue and the appropriations bill already have indicated a willingness to reconsider their votes.

For Governor Patterson to appropriate the funds himself would be a major political action, open to suspicion by opponents. He would hardly take such an action without consulting the high court.

Political sources are betting Governor Patterson will call a special session, regardless of both financial and political costs.

Schools Facing Funds Shortage

Strikes, Late Openings Plague Systems In Alabama

By The Associated Press

BIRMINGHAM, Sept. 3.—The fall opening of public schools—normally as sure as taxes—is a jungle of uncertainty in Alabama this year with many systems short on money.

Some school systems are looking to more local tayes for help. Others are charging tuition.

Several systems have postponed the opening of schools toallow time to make financial arrangements. Opening of other systems has been stopped by a strike of teachers.

State Supt. of Education W. A. Lecroy has estimated that 50 systems will not finish the school year because of finar ial problems.

No Integration Planned

There are no generally kn n plans to try to integrate public schools in the state this yea

A suit is pending in Birmingham to force city officials to do away with the separate school systems. An integration spokesman said the legal matter should be settled before an attempt is made to integrate schools, which open next week.

Marion County teachers were the latest to strike. With no salary for the last two months, the teachers voted Friday not to teach until all back salaries are paid. The schools were scheduled to open Monday.

Marion County School Supt. Solon Gregg told the teachers it would be hard to meet the payroll until state funds are available Oct. 1. The alternatives, he said is to borrow $30,000 and the system is $140,000 in debt.

Colbert Teachers Strike

White teachers in Colbert County opened schools last Monday, they voted that afternoon to strike until they get contracts assuring them of no pay conty system joined them ate in the week. About 7,500 students are affected.

The Colbert School Board suggested a tuition system to get the schools open again but parents indicated they were aganist it.

Thursday, teachers in Lauderdale County, across the Tennessee River from Colbert in Northwest Alabama, also struck until they get contracts with no reduction in salary.

Pike County schools opened last week after a tuition system was put into effect. High school students are assessed a fee and elementary students pay $4.50.

Margeno Defers Opening

Members of the Margeno County Teachers Association voted Saturday to defer the opening of schools until the county board of education can assure them a full month's salary based on last year's schedle.

Marengo County Suuperintendent of Education Fred D. Ramsey called the action premature. He said teachers have been paid in full and on time.

The Pickens County Board of Education approved a tuition fee to help meet operating costs. The board set the fee at $10 for high school students and $5 for elecentary students.

The opening of Choctaw County schools, planned last Friday, was delayed for at least two weeks. County School Superintendent Wiley C. Gallen said the schools won't open until the state appropriation is available.

Funds Coming Oct. 1

That will be Oct. 1—the start of the new fiscal year.

Proration—an across the board cut in state money—is the cause of most of the money troubles for schools. It has taken a slice out of Alabama school funds in several recent years. But this year the slice is bigger. Estimates are that when the books close Sept. 30, the end of the fiscal year, the cut will be about 13.6 per cent.

The just-adjourned legislature appropriated 137.9 million dollars for school operation for the coming fiscal year. That's about four million dollars above last year's figure but LeCroy said it is more than 11 million dollars short of the "break even" figure.

Patterson favors federal school aid

MONTGOMERY, Ala., March 30 — Gov. John Patterson has thrown full backing behind President Kennedy's proposed federal aid to education program.

The measure is now pending before Congress.

Patterson cited "the great need in the field of public education in our state" and the "substantial benefits" the federal school aid program would bring.

"The president has made it clear that there will be no federal strings attached to the program and that public education will remain a matter of state and local control," Patterson said in announcing his endorsement today.

Under the federal plan, Alabama public schools would be eligible to receive almost $20 million next year.

The governor pointed out that assistance to public elementary and secondary schools would be in the form of a three-year program of rising federal aid that would assure every state no less than $15 for every public school student in average daily attendance.

IN ALABAMA, the figure would be much higher, he said.

Those figures would be: $27.27 in fiscal year 1962, with total funds available at $19,691,692; $31.06 the next year, total funds of $22,583,245, and $34.65 in fiscal 1964, with total funds of $25,327,454 available.

The president's education bill also provides for a five-year program of state-administered scholarships for college and university students. Alabama would be allocated 519 scholarships in fiscal year 1962 and 3889 in fiscal 1966.

Total amount of funds allocated to the state for this purpose would be $363,300 in 1962 and $2,722,300 in 1966.

"ALTHOUGH WE have made great gains in state support of public education in the last two years," Gov. Patterson said, "the state lacks the resources to meet pressing school needs at this time.

He pointed out that the Legislature authorized the largest single increase in school appropriations in 1959 and also approved the first statewide school construction bond issue.

"Still," Patterson said, "the public school system is in dire needs of additional funds for operation, teachers' salaries and equipment."

15 teachers not rehired in Elmore

WETUMPKA, Ala., May 13— The names of 15 teachers who will not be rehired next year because of fund shortages were made public Saturday by Elmore County Supt. of Education Ross McQueen.

At least two other teaching positions will be left vacant by transfers or retirements and will not be filled.

The teachers whose contracts will not be renewed were notified by mail this week-end.

The decision to drop them from the system was made at a County Board of Education meeting this week. Explaining the move later, McQueen said Elmore County may get $165,000 less next year than it got this year—and he pointed out that maintenance and the purchase of many supplies had already been curtailed.

McQUEEN SAID the board's failure to renew the teachers' contracts does not reflect upon their professional ability.

The teachers and their schools are:

Mrs. Nelle Sumners, Friendship; Andrew J. McDonald, Eclectic; Lynn Hobbie, Wetumpka; Nathan S. Hardin, Holtville.

Mrs. Mary Moore, Holtville; Edgar F. Benoist, Robinson Springs; Mrs. Ruby Jones, Robinson Springs; Mrs. Susan Owen, Sewell Memorial.

Mrs. Virginia Bass, Lightwood; Quida Jeannie Taylor, Wallsboro; Bruce Lynn, Red Hill; Mrs. Sue Mulder, Red Hill.

Mrs. S. W. Hixon, Deatsville; Mrs. Evelyn O'Daniel, Friendship, and Robert E. Fenn, Holtville.

THIS IS THE SECOND time Elmore County has set what may become a precedent in the matter of school finances. Two years ago, when Gov. John Patterson suggested that teachers take a pay cut, McQueen called a teachers' meeting at which he publicly stated that Elmore County teachers would walk out before taking a cut. Other counties later followed suit.

Solon's Bill Drops Taxes On Schools

By PATRICK HARDEN
UP International

The state public school system will be abolished and every school turned into a private educational institution if the legislature approves a bill sponsored by state Sen. E. O. Eddins of Demopolis.

"It's the only way we can control our own schools," the veteran Black Belt legislator said. "The U.S. Supreme Court is now overruling every state law we have. They run our schools — and if they're going to run our public schools, we'll just have to do away with them."

Eddins' proposal calls for abolishing state school taxes, leaving the general public with funds sufficient to meet the cost of running private schools.

PRIVATE SCHOOLS

"I think there will be lots of people like me, with no children of school age, who will be happy to help support private schools. It would be something like a community project," he said.

Eddins, father of two grown children and grandfather of three youngsters, said he has not yet decided whether to include a referendum clause in his bill.

"That depends on the feeling of the legislature," he told United Press International. "I expect there will be a lot of stiff opposition from people who believe the public schools can continue without interference.

"But I also think I'll have many supporters for a private school system by the time the legislature meets in May."

HIGH STANDARDS

Eddins said many details of his plan have yet to be worked out.

"I think the principals of the private schools could keep the standards high, and by holding regular conferences between themselves, they could keep the standard good throughout the state.

"This is one of the details I'm working on right now," he said. "As for teachers' salaries, they'd be governed and paid by a board of directors or a school commission."

Asked about Negro schools, the Marengo County legislator said, "I've no idea about them — I'm not really worried. That's up to the Negro leaders to work out."

Marengo School Opening Okayed

LINDEN (Special) — Marengo County teachers voted Monday to open schools on schedule after being warned they would lose their certification if they didn't.

The teachers passed a resolution stating that school will open as originally scheduled and that teachers will teach until officially notified of a cut in salary.

County Supt. of Education Fred D. Ramsey, addressing a meeting of the teachers association, said the Alabama State Tenure Law gives teachers 45 days before the opening date of schools in which to submit resignations. Thus, any resignations were due June 15.

"I am very much in sympathy with the teachers in this county," Ramsey said, but "I must uphold the duties of my office."

Cutoff Of Funds Hitting Schools

No Legal Way Is Left To Pay Out Money Available

By The Associated Press

MONTGOMERY, Ala., Sept. 1.—The threatened cutoff of Alabama state funds in the absence of a legislative appropriation took on a more ominous note Monday and left a question mark over the allocation of school money.

Unless Gov. John Patterson calls a special session or finds another solution, no state agency except education will have operating funds after the close of the current fiscal year Sept. 30.

The Legislature, deadlocked by a Senate filibuster, adjourned the 1961 regular session early Saturday without passing a general appropriation bill.

Emergency Session Asked

One member of the Senate, Bob Kendall of Conecuh County, telegraphed an urgent appeal to the Governor Monday to call an emergency session to appropriate the money before the new fiscal year starts.

Governor Patterson was not available for comment.

Funds for the schools were allocated in a separate appropriation measure which barely squeaked through in the closing hours of the session, but budget experts wondered whether they can be paid.

They pointed out that the absence of a general appropriation bill to finance other functions of the government will leave the Revenue Department, the treasurer's office, the comptroller and the budget office among others, without operating funds.

No Checks Available

If those departments cannot function, the budget advisers asked, who will collect the taxes for education? Who will issue the checks? Who will approve the allocations?

The same reasoning was applied to some agencies like the Highway Department which live out of their own revenues and are not covered by the general appropriation bill. Who would issue checks for Highway Department employes?

Governor Patterson, in a statement issued shortly after the Legislature adjourned in a flurry of filibustering and a fist fight, promised to "see that the funds are provided and the state continues to operate."

But he did not say how he proposes to do it. The state constitution says no money can be spent unless it is appropriated by the Legislature.

Lauderdale teachers vote strike's end

FLORENCE, Ala., Sept. 12—(AP)—Lauderdale County school teachers last night voted to end a strike and open schools next Friday in hopes that a full nine-month term can be worked out later.

The teachers took the action on a 115-36 vote, with 20 abstaining, despite the fact that no assurance of a full nine-month term was forthcoming from the county school board.

SCHOOL SUPT. Allen Thornton said a bill passed the Legislature at the recently ended general session whihc would provide a 5-mill ad valorem tax for schools.

But Thornton said the measure faces a statewide referendum, plus a vote of Lauderdale County residents.

Thornton said he had been advised by members of the state school board not to guarantee that money can be raised for a full nine-month term.

He said the Lauderdale County board would "pay you a full salary and assure you that we will let you know if we're going to run out of funds, so that you will never have to teach one day without pay."

Several teachers expressed views that the parents should understand that not only were the teachers salaries in jeopardy, but the county schools as well.

They were especially concerned that sveral high school in the county may not be considered accredited with abbreviated terms.

About 5800 pupils are in the county school system.

Lowndes Delays Start Of School

HAYNEVILLE — The Lowndes County Board of Education has postponed the opening date of schools for two weeks, according to a statement released by Hulda Coleman, county superintendent of education.

"This action was taken after careful consideration of the present shortage of revenue and the uncertainty of school finances for the coming year," Miss Coleman said.

Miss Coleman added that the school board now has an indebtedness in short term loans of $102,000. She pointed out that the county's teachers are still unpaid for the month of June.

Lauderdale Educators End Walkout

FLORENCE (AP) — Lauderdale County school teachers Monday night voted to end a strike and open schools next Friday in hopes that a full nine-month term can be worked out later.

The teachers took the action a 115-36 vote, with 20 abstaining, despite the fact that no assurance was forthcoming from the county school board.

School Supt. Allen Thornton said a bill has passed the legislature at the recently ended general session which would provide a 5-mill advalorem tax for schools.

STATEWIDE VOTE

But Thornton said the measure faces a statewide referendum, plus a vote of Launderdale County residents.

Thornton said he had been advised by members of the school board not to guarantee that money can be raised for a full nin-month term.

He said the Lauderdale County board would "pay you a full salary and assure you that we will let you know if we're going to run out of funds, so that you will never have to teach one day without pay."

Several teachers expressed views that the parents should understand that not only were the teacher salaries in jeopardy but the county schools as well.

They were especially concerned that several high schools in the county may not be considered accredited with abbreviated terms.

About 5,800 pupils are in the county school system.

Alabama Without Funds As Legislature Ends

MONTGOMERY, Ala., Sept 2 (AP).—The Alabama Legislature adjourned in a wild outburst of filibustering and fisticuffs early today, and left the State government without operating funds for the coming year.

The filibuster which had raged unchecked, day and night, for 96 hours, killed a congressional redistricting bill and blocked final passage of the huge general appropriation measure.

Never before had the Legislature gone home without appropriating funds for non-school functions of the government, and no one could say how the State will be able to operate after the new fiscal year starts October 1.

The State constitution prohibits the spending of public funds without a legislative appropriation.

Special Session Possible

Gov. John Patterson promised to find some way to "see that funds are provided and see that the State continues to operate."

Gov. Patterson was expected first to ask the State Supreme Court to rule whether the judicial and executive branches can supervise the financial affairs of the State, or whether this year's appropriation can carry over. He could call a special session of the Legislature if necessary.

After adjournment, the Governor's executive secretary, Joe Robertson, and a House member, Rep. Charles Reynolds of Chambers County, clashed in a fist fight on the Senate floor.

They were separated by State public Safety Director Floyd Mann, standing nearby, and the crowd which surged around them was dispersed by uniformed highway patrolmen assigned to keep order among the spectators outside the Senate Chamber.

Schools Funds Provided

Although many State agencies were left with no assurance of funds after the close of the current fiscal year, the schools will get their money—$137.9 million from the State for the coming fiscal year and $148 million the following year.

School funds were provided in a separate appopriation bill enacted on the final day of the session.

The Legislature's failure to rezone the State into eight congressional districts instead of the present nine will force all candidates for Congress to run from the State at large next year—unless the legislature comes back meantime in special session and passes a redistricting bill.

Gov. atterson had said he would not call an emergency session for redistricting, but he may have to summon the Legislature back to write an appropriation bill if nothing else is worked out.

Tallapoosa Voters Okay School Tax

DADEVILLE (Special)—Tallapoosa County voted Tuesday to levy a seven and a half mill property tax to be used to support the public schools.

Forced to the polls for the third time in less than five years to vote on this issue, Tallapoosa citizens voted 1,302 for and 1,154 against the special tax which will keep the schools open nine months this year.

Similar proposals were defeated in 1956 and 1959 when the county's budget was hit heavily by proration. This year the budget was proprated 14.14 per cent.

$143,000 LOST

The proposed tax boost will only be applicable outside the city limts of Alexander City, which has a separate school system. Voters in Alexander City previously voted a similar tax increase.

Of the 23 boxes in the school district, 14 went for and nine against. One box tied.

Superintendent Virgil Noler Price said that Tallapoosa suffered a loss of $143,000 this past year due to proration and the County Board of Education has a deficit of $120,000 at present.

The mill tax will return a revenue of approximately $99,000 per year to the system.

Auburn to Ballot Dec. 5 On Independent Schools

AUBURN, Ala., Nov. 18 (AP)—Voters at Auburn will ballot Dec. 5 on whether the state's first independent school system will be created.

A law permitting such independent system was passed in the 1959 legislature as a segregation measure. The law has never been tested.

There is no indication that segregation is an issue in the proposed creation of the independent system.

The Lee County court of county commissioners set the referendum date after receiving a petition requesting the election.

* * *

THE PROPOSED system would be completely independent of city, county or state control. It would be governed by a five-man board of education to be appointed by the county commissioners.

Auburn city schools are now under the county school system. They were expected to go into a city system at the end of the current school year. A board of education was appointed by the Auburn City Council last month.

Ira H. Weissinger, president of the commissioners court, said the commission had no choice but to grant the special election because the petition requesting it had more than the required 200 names.

* * *

IF IT IS APPROVED the system would receive city and state support. Conceivably, federal funds could be withdrawn because the system would be set up under a segregation law.

Weissinger said the city probably will take over the schools as originally planned if the vote is against the independent system.

The city currently has five white elementary schools, two Negro elementary schools, one white high school and two Negro high schools.

14d(1) 1961 ALABAMA

Committee cuts school fund bill

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., Aug. 18—A $137.9 school appropriation bill, more than $100 million short of what schools had requested, reached the House floor for a second reading today.

Drafted by a subcommittee of the House ways and means committee, the education money measure was approved finally by the main committee last night after a lengthy conference with Gov. John Patterson.

The bill closely follows the governor's recommendations for education for the coming biennium.

THE AMOUNTS which would be allocated to Alabama schools colleges, and other educational units, are less than what was appropriated for 1959-60 and 1960-61 years.

But item by item the figures for 1961-62 closely follow or run slightly higher than amounts actually spent by the various units in 1959-60 after all school appropriations were reduced by 10 per cent proration.

The cut-backs represent Gov. Patterson's idea of preventing further proration of school funds the next two fiscal years.

A COMPANION BILL, to be offered separately, provides for additional money if and when the conditions of the treasury warrant it.

That measure appropriates $5 million a year for each of the next two fiscal years.

Money from this additional appropriations bill would be allocated to the various agencies supported by the trust fund in

Turn to Page 8, Column 1

proportion to what each unit receives from the big appropriation measure.

The minimum program fund which assures a nine-month school term is the hardest hit by the governor"s economy ax. In 1959-60 the minimum program fund actually received $93 million. The current year's appropriation is $105,534,975, but it will be prorated about 13 per cent.

THE PENDING BILL appropriates $93,521,538 for 1961-62 and $102,385,959 for the minimum program fund for 1962-63. Educators had asked for an appropriation of $146,539,620 for the minimum program fund for 1961-62 and more than $150 million for 1962-63.

The Auburn appropriation, including the Extension Service and other units, totals approximately $7,540,000 for 1961-62 and about $8,000,000 for 1962-63.

In 1959-60 operations and maintenance at Auburn received $4,428,179 after proration. The present year's appropriation is $4,534,384 for 1961-62 and $4,859,100 for 1962-63.

The Extension Service requested $1,936,000 in 1961-62 and $1,975,000 in 1962-63. The 1960-61 appropriation is $1,319,815. The bill allocates $1,421,113 for each of next two fiscal years.

The 1960-61 appropriation for educational television before proration was $110,958. That agency had requested an increase to $165,000, in 1961-62 and $168,000 in 1962-63.

The pending bill would appropriate $103,227 for 1961-62 and $110,639 for 1962-63.

THE APPROPRIATION for Alabama College would be $683,753 for 1961-62 and $732,826 for 1962-63.

The appropriation for operation and maintenance of the University of Alabama for 1960-61 before proration was $5,395,250. The University requested $6,938,000 for 1961-62 and $7,073,178 for 1962-63.

The actual expenditure for 1959-60 after proration was $5,774,927. The pending bill appropriates $4,938,800 for 1961-62 and $5,293,358 for 1962-63.

Appropriations for Jefferson-Hillman before proration was $639,544. In 1959-60, $584,235 was received after proration.

A TOTAL of $825.000 was asked for 1961-62 and $840,000 for 1962-63. The bill appropriates $640,448 for 1961-62 and $682,446 for 1962-63. That was about $43.000 more than what the governor recommended for each year.

The University of Alabama Medical College and School of Nursing appropriation before proration for 1960-61 was $1,442,580. In 1959-60, after proration those units received $1,317, 824.

The college of nursing school requested $1,869,145 for next year and $1,902,112 for 1962-63. The pending bill appropriates $1,265,560 for next year and $1,360,336 for 1962-63.

THE SCHOOL OF DENTISTRY 1960-61 appropriation before proration was $817,462. The actual appropriation in 1959-60 was $746,748. The school asked for $1,082,836 for 1961-62 and $740,620 for 1962-63.

The bill appropriates $748,317 for 1961-62 and $802,024 for 1962-63. The Department of Education appropriation for the current year before proration was $534,712. The department requested $612,018 for 1961-62 and $617,884 for 1962-63.

The department actually expended $510,029 in 1959-60. The bill appropriates $460,713 for 1961-62 and $470,833 for 1962-63.

The Talladega School for the Deaf and Blind appropriation for operation and maintenance for the current year before proration was $904,614. In 1959-60 after proration, the school expended $826,525. The school asked for $1,043,941 for next fiscal year and $928,334 for 1962-63.

The bill appropriates $844,479 for 1961-62 and $905,087 for 1962-63.

In the same appropriation bill many other agencies and services supported by the Alabama Special Educational Trust Fund received cutbacks in the pending bill far below what had been requested.

Fayette schools 10th state system to delay opening

FAYETTE, Ala., Aug. 19—Fayette County Schools face a delay in opening this year after teachers voted Saturday not to teach until assured that the same salary schedule as last year will be in effect.

Fayette thuss became the 10th system in the state which will no open on schedule due to the financial plight of the state's education system.

P. J. Colburn, superintendent of education, said Saturday that the Board of Education had advised the teachers it was not in position to make a definite statement on salary and would not be until the State Board of Education announces the minimum program fund for 1961-62.

Acts sought

THE EDUCATION chief said the teachers had not been asked to take a cut and the teachers were assured they would "get the best that could be provided within the means of the board.

Systems in Marion, Lamar, Lauderdale, Cullman, Bullock, Lowndes, Pickens, Choctaw and Crenshaw had announced a delay in opening due to the lack of funds or after teachers voted not to take a pay cut.

Several systems are seeking legislative approval to call for constitutional amendments or local enabling acts to increase ad valorem taxes or levy a sales tax to help relieve financial conditions in their school districts.

Due Aug. 28

FAYETTE SCHOOLS were due to open Aug. 28 after three days of workshops on Aug. 24-26.

Clarence Kirkley Jr., president of the Fayette County Teachers Assn. said the teachers took the action after they failed to receive notice of what the pay schedule would be for the coming year.

Proration, at first estimated to be 9.4 per cent for this year, will be more than 12 per cent by the end of the school year on Sept. 30.

Alabama County To Open Schools

Doors Will Close When Money Runs Out

RUSSELLVILLE, Ala., Aug. 17.—(UPI) — Franklin County School Superintendent Charles Parrish said Thursday schools would open as scheduled Monday, but would "close when our money runs out."

Mr. Parrish said "Whether this is a seven, eight or nine month term depends entirely on the funds we receive from the state."

He said the school system finished the fiscal year with a $195,000 deficit and the 155 teachers in the county schools will not receive pay checks for August until Oct. 1. Mr. Parrish said teachers would be paid for both August and September at that time.

He said the Franklin's county school system anticipated $16,000 in state funds for July, but received only $9,700 because of proration.

"We can't go any further in debt because we have reached our legal debt limit," Mr. Parrish said. He added the system borrowed $45,000 to meet the July payroll.

Franklin County teachers voted 154-1 earlier this year not to accept a pay cut. Teachers are paid on a 12-month basis in the county.

"They will teach and wait, but will not take a cut," Mr. Parrish said.

IF DEFICIT PERSISTS

Elmore Profs Vote Shutdown

WETUMPKA — The Elmore County Teachers Association met Monday night and voted 80-5 not to open classes in the 1961-62 school year unless the financial condition of Elmore schools is improved.

The teachers also passed a resolution not to teach "if we are not assured this deficit will be met in some way by the time we are to sign contracts on or before Aug. 25 when they are presented by the county board of education."

Another section of the resolution stated, "Be it further resolved that the undersigned invite all other teachers in the counties of the State of Alabama in similar financial condition to join this movement."

It was brought out at the meeting that there are 43 counties in "similar financial condition."

The Elmore County Citizens Committee is spearheading a straw ballot on a one-cent county sales tax to improve education financial status. Should voters give the ok, Elmore representatives will introduce a sales tax bill during the current legislative session.

C. F. Wingett, president of the Elmore County Teachers Association, presided over the meeting here.

Operations of two other Alabama counties are in perilous condition as a result of lack of funds.

The Crenshaw County system is unable to borrow money because it has reached its legal debt limit of $120,000.

"We have a little more than $15,000 in the treasury and we owe $60,000 in salaries due July 1," Supt. of Education Clem Carpenter said. "We don't know whether our teachers will teach or not if we are unable to pay them."

The Bullock County Board o Education in an emergency meeting last Thursday arranged to borrow $45,000 necessary to meet the overdue teacher payroll for June. Education Board chairman R. E. Cope said he has "no idea" how the next payroll will be met.

School start delay voted for Lamar

VERNON, Ala., Aug. 1—Lamar today became the second Alabama county to postpone opening of schools for the 1961-62 term because of lack of money.

The Lamar County Board of Education, meeting here last night, voted not to open the schools until it is determined:

1. How much money the county will receive from the state and when.

2. Amount of local funds to be available to schools.

Marion County School Supt. Solon Gregg announced Saturday at Hamilton that the schools will be opened when state money is received.

Lamar schools were due to open Aug. 21, but no state money is expected until October.

Teachers last week voted unanimously not to teach unless given nine-month contracts at the same salary as last year.

Garvice Moore, Lamar superintendent, said today that the county has reached its limit in borrowing money to pay teachers.

The county board owes teachers $68,000 from last year, and Lamar County banks $150,000; $135,000 it borrowed from the state last year is being repaid.

If the schools opened as scheduled, the county would owe the teachers an additional $75,000 by the time the first state money is received in October, Moore said.

A committee headed by Curtis Conner of Sulligent has asked Rep. Jack Hankins to raise the 7 mill property tax to 12 mills to bring in an extra $40,000.

The group also asked Hankins to impose a 1-cent sales tax to bring in $50,000.

Crops Cause Negro Drop In Schools

SELMA (Special) — Now entering the second week of school, the Dallas County schools are showing a slight increase in the enrollment of white schools and a drop of about 900 in Negro schools, according to Assistant County Superintendent Frank Earnest.

Earnest said that in the county's white schools there is an uptrend of about 25-30 in enrollment, which at present stands at 1,575, a figure slightly higher than anticipated.

He said, "In the Negro schools, an enrollment of 6,200 had been anticipated, and at present the figure stands at 5,300, going into the second week of school."

The assistant superintendent added that the number originally expected would probably be reached "as the harvesting of crops progresses." He explained enrollment in the Negro schools is usually down until the crops are in.

Many of the county schools underwent a "facelifting" during the summer, and as the doors opened for another school year, many changes were found as construction financed by $700,000 the county system received under the Building Commission program, was completed.

ALABAMA

School Fund Crisis

By GROVER C. HALL JR.
Editor, The Montgomery Advertiser
Special to Atlanta Journal-Constitution

MONTGOMERY, Ala., Aug. 12—"School crisis" is a term often applied loosely, but in Alabama the conditions were approaching this.

The schools are already operating with a 9.4 per cent deficiency in appropriations and all the signs are that an even larger cutback impends in the absence of new revenue.

With the new school term at hand, the current session of the legislature was drawing to a close. Both houses are angrily involved in contention over reapportionment of the legislature, shrinking the congressional districts from nine to eight and the "quickie" divorce law.

IN SOME COUNTIES teachers were voting not to teach until adequate funds were provided. Cullman was typical of such counties with a deficit of $106,000.

In Jackson County the superintendent, H. E. Phillips, of Scottsboro, indicated that the schools would not be able to open. In downstate Marengo County, students will be assessed a $10 fee.

School leaders were demanding that the legislature raise taxes to repair the deficit. But Gov. John Patterson, defying the pressure, bluntly repeated that he was against new state taxation.

Without the governor's cooperation it was virtually inconceivable that the highly disorganized legislature would enact any new tax laws, although legislative committees were going through the motions of consideration.

"I DON'T think the state's economy could stand any more state taxes now," Gov. Patterson said.

He said he would veto any new tax legislation and contended that the answer to the grievous shortage was local taxation.

The governor even went so far as to indicate that county school systems might lose what money they are now receiving from the state. He pointed out that state law prohibits allocation of state funds to any system that operates less than nine months except by permission from the State Board of Education.

Although the operation of the schools was doubtless the most consequential problem, the issue that seemed to stir and preoccupy the legislators was redistricting the congressional seats. Approaching the climax was the issue of dissolving the Ninth District — composed entirely of Birmingham and Jefferson County—and attaching it to four other districts.

Expired laws cut Huntsville school funds

HUNTSVILLE, Ala., Aug. 10—Expired laws which in the past allowed Huntsville generous federal grants for city schools may leave the Board of Education in financial difficulty next school year, the board has been warned.

Huntsville, classified as a federally impacted area under the expire dlaws, has received about $500,000 annually from the federal government for school purposes. Unless these laws are revived, financial straits are in store, upt. of Education Dr. Raymond L. Christian said.

THE CITY WILL be able to operate a full term and pay teachers even if no federal funds are received, said Christian, but the local program could not be operated on the same level as in the past. Such things as maintenance of buildings would be affected, he noted.

Added to this, he said, is the fact that an increase of 1500 to 2000 students can be expected during the next school year, necessitating the hiring of 50 additional teacher.

Top teachers lost in crisis at Sulligent

BY JOE ACEE

SULLIGENT, Ala., Aug. 10—Some of the best teachers in Lamar County are being lost because of the funds crisis, Supt. of Education Garvice Moore said last night in a panel discussion here.

Teachers in the county, due $68,000 in back pay, voted not to teach if their salary was cut or if their next contract did not run for nine months.

Supt. Moore told the Sulligent Lions Club, sponsors of the panel discussion, that Lamar County schools owe $135,000 to banks in Lamar County in addition to the back pay.

In an effort to insure the opening of the county's schools this Fall, a petition is being circulated asking voters to approve a 1 per cent sales tax earmarked for schools.

CHAIRMAN M. M. ADAMS said almost half the voters in the county had been offered the petition up to yesterday, with about 80 per cent signing.

Moore said that if more than 51 per cent of the voters sign the petition, the County Board of Education would try to reach an agreement with the teachers whereby the schools could be opened.

The sales tax would bring in an estimated $45,000 annually.

More said the payroll to run the schools and pay the teachers in Lamar County is approximately $60,000 a month. He added that he expects to receive only $50,000 from the state between now and the end of the current fiscal school year Sept. 30.

14d(1) 1961

ALABAMA

No School Relief Seen By Patterson

The Montgomery Advertiser

B 1 Thurs 7-27-61

Montgomery Ala

By BOB INGRAM

Gov. John Patterson confirmed Wednesday that a further slash in the educational budget for the current year is "fairly certain" but in the same breath he vowed that schools could expect no financial relief from the state.

In a 50-minute conference devoted almost entirely to the financial crisis in education, Gov. Patterson said it appeared that existing taxes would produce from $2.5 to $3 million less in revenue than is needed to meet education's budget, already reduced by 9.4 per cent. This would mean an overall proration (reduction) for the year of approximately 12 per cent.

But despite this grim picture, Patterson did not waiver in his opposition to any tax increases by the state for any purpose.

"It is not the proper time to add any new taxes," Patterson declared. "The people are already overburdened; there is high unemployment in the state. I'm opposed to any increase in taxes for any purpose."

"I feel now as I stated in my address to the legislature at the opening of the regular session that the answer to education's problem is more local assistance," he added.

Gov. Patterson also belittled the claims of some people that schools will close and teachers will walk out unless additional funds are made available.

"It would be inconceivable to me, that any schools would shut down when they have more money now than they have ever had before," Patterson said. "That would be just inconceivable to me."

After making his position abundantly clear on any tax increases, Patterson then put him-

self on record—and strongly so—against the proposed transfer of money from the General Fund to education.

Patterson noted that the General Fund appropriation for the year is only $36 million, while schools will get close to $140 million.

SMALL AMOUNT

"If you transfered a couple of million dollars out of the General Fund to education it would be such a small amount you wouldn't even feel it," he said.

But what would be much worse, he added, was the effect such a transfer would have on other state programs.

"Such a transfer would destroy the medical care for the aged program, and it would lower the old age pension payments," he declared. "And I think the old age pensioners are just as important as the school teachers."

Patterson added that such a transfer—as was proposed by three bills offered in the House Tuesday—would result in "hurting terribly a lot of people in Alabama."

Alabama Eyes Teachers Union

Montgomery Advertiser

B 11

Elmore, Other Counties Can't Get Money For Pay

Wed 7-26-61

By United Press International

WETUMPKA, Ala., July 25.—Initial steps were disclosed Tuesday to unionize Elmore County school teachers who voted overwhelmingly not to return to the classroom next year unless the financial condition of the school systems is improved.

E. C. Tippin of Montgomery, vice president of the Alabama Labor Council (AFL-CIO), said he and some of his associates had been in Elmore County recently to determine if there was any interest among teachers in forming a union.

Wetumpka Age-Herald

He said it was "absolutely" the union's intention to organize Elmore County teachers in the American Federation of Teachers, an AFL-CIO affiliate, "if they desire it."

Open Shop Planned

Tippin said "much less than 50 per cent" of the teachers needed to be favorable to start a union local. It would be operated under the open shop policy as those in the Gadsden County school system in Etowah County and the Mobile City-County school system, the only two teacher unions now in Alabama.

The teachers voted 80-5 Monday night to boycott classrooms unless fiscal affairs are improved.

State School Superintendent W. A. Lecroy Monday night urged the Legislature and the people of Alabama to recognize schools are facing a financial crisis and to do something about it.

Some Can't Pay

He said schools were "operating on a credit card, missed some payments and now have to pay up, but some can't."

Lecroy said 67 of Alabama's 114 school districts operated at a deficit during the last school year. He said the present situation was nothing new but had been building up for the past five years.

"One of the sad things about the situation is that when these districts receive operating expenses for the coming year they must pay their debts out of these funds," Lecroy said.

Elmore County teachers also threatened not to teach "if we are not assured this deficit will be met in some way by the time we are to sign contracts on or before Aug. 25 when they are presented by the County Board of Education."

The resolution added the Elmore teachers "invite all other teachers in the counties of the State of Alabama in similar financial condition to join this movement."

Other Counties Similar

A spokesman said there were 43 other counties in "similar financial condition."

The Elmore County citizens committee has arranged a straw ballot on a one-cent county sales tax to improve education financial status. Should voters approve the measure, Elmore legislators will introduce a sales tax bill during the current session.

Operations of two other Alabama counties are in perilous condition as a result of lack of funds.

The Crenshaw County system is unable to borrow more money because it has reached its legal debt limit of $120,000.

"I don't know whether our teachers will teach or not if we are unable to pay them," Clem Carpenter, Superintendent of Education, said.

The Bullock County Board of Education, in an emergency meeting last week, arranged to borrow $45,000 necessary to meet the overdue teacher pay roll for June.

Education Board Chairman R. E. Cope said he had "no idea how the next pay roll will be met.

$137.9 Million Outlay For Education Wins Favorable Report In Committee

The Montgomery Advertiser

By BOB INGRAM

The House Ways and Means Committee late Thursday gave a favorable report to a $137.9 million appropriation bill to education for the 1961-62 school year.

The amount recommended by the committee is $114 million less than had been requested by school leaders but is exactly the amount which Gov. John Patterson had recommended.

School leaders in testifying before the committee earlier had warned that Gov. Patterson's recommended budget fell far short of meeting the financial needs of education.

However, with no new school taxes imposed by the legislature, the committee could do no more than appropriate the funds anticipated from existing school taxes.

In addition to the regular appropriation of $137.9 million, the committee also approved a $5 million conditional appropriation to schools. This additional amount would be apropriated should school taxes produce more than the $137.9 million anticipated.

Rep. Joe Smith of Russell, committee chairman, described the school budget as "conservative" and added the conditional appropriation was included in the event the budget was "too conservative."

For the 1962-63 year, the committee recommended an appropriation of $148 million, plus another $5 million in conditional funds.

Should schools receive the $153 million for 1962-63 it would represent the largest budget for education in Alabama history.

SHARP DROP

While the budget recommendation or the coming year is far below the $151 million which originally was appropriated to schools by the 1959 legislature, it will still be more money than schools will actually receive this year.

It is now estimated that schools will receive only $133 million this year, due to the sharp drop in tax collections earmarked for education.

The committee bill approved Thursday includes an appropriation of $95,521,000 for the Minimum Program Fund in 1961-62, and $102,385,000 for the same fund in 1962-63. School forces had requested $146.5 million for the fund in 1961-62 and $149 million for 1962-63.

It is from this fund that operating money for public schools comes, including money for teachers' salaries.

The appropriation recommended by the committee would allow no increase in salaries and no additional teachers for the coming year.

Generally speaking the committee followed Gov. Patterson's recommendations. Both the Universities of Auburn and Alabama were appropriated the precise amount suggested by Patterson, although there was a switching of funds within the Alabama budget.

One of the big differences between the Patterson and committee budgets was for free textbooks. Patterson recommended $752,000 for this purpose, but the committee slashed this to $500,000 and earmarked this money exclusively for providing free books for the first, second and third grades only.

Also included in the bill was a $25,000 appropriation for 1961-62 for the construction of an educational television station in Montgomery.

The committee budget bill proposes an appropriation of $7,356,000 to Auburn University for 1961-62, which includes the main campus as well as the various extension and experiment stations.

$8 MILLION AT U OF A

The University of Alabama would receive a total of $8,003,000, this including the main campus as well as the Medical and Dental Colleges in Birmingham.

The committee recommended a slash in the appropriation to the Department of Education. Patterson had proposed giving the department $521,000 next year, but the committee cut this back to $470,000. An even bigger cut was made for the 1962-63 year—from $552,000 recommended by Patterson to $470,000.

One of the biggest increases made by the committee over Patterson went to the Alabama Agriculture and Mechanical College at Normal (Madison County), a Negro school. The committee recommended this school receive $905,000 next year, $75,000 more than proposed by Patterson.

ALABAMAN SEES CUT IN FUNDS

The Times Herald

School Official Asks for $53 Million Boost

MONTGOMERY, Ala. (AP)—Despite a big increase in appropriations, Alabama's public schools probably will get less money from the state this year than they received a year ago.

That warning was laid before the Senate finance committee by state Supt. W. A. Lecroy to support his request for a $53 million boost in sttae funds for the coming school year.

Lecroy also put the committee on notice that city and county school systems face the threatened loss of federal aid to impacted areas for the coming year because Congress has not appropriated money thus far.

The superintendent told the senators that even though the legislature intended for the public schools to get some $12 million more the state's minimum program fund this year than they got last year, they probably will wind up with less.

Minimum program allocations for the 1959-60 fiscal year totaled $93.5 million, and the appropriation for the current year was $105.5 million. That includes only the state's contribution to grade schools and high schools. College allotments are handled separately.

Because of proration, which may reach 12 per cent or higher, Lecroy said, the public schools probably will receive only about $92 million this year. Proration was put into effect by Gov. John Patterson when it became obvious that taxes would not bring in enough to pay all of the current year's school appropriations.

The Senate committee started hearings Wednesday on school needs before writing an education appropriation bill for the next two years.

Across the hall, the House ways and means committee also continued work on its own version of the school money measure and also the separate general appropriation bill which finances non-educational functions of the state government.

Outlook Good For Schools In Autauga

The Montgomery Advertiser

By STUART X. STEPHENSON
Advertiser Staff Writer

PRATTVILLE — County Supt. of Education John Hargis, unmoved by flowing tears elsewhere in the school crisis, empahsized Thursday that Autauga County's sixteen schools will open on schedule and operate a full term.

Supt. Hargis said the county school system was not in debt and added "we don't intend to borrow money to operate."

Admitting "we suffer along with all the others from proration, but it is always been our policy to do the very best we can with what we have," Hargis asserted.

POINT WITH PRIDE

The dynamic school leader pointed with pride to what he described as an outstanding streak of good luck in regard to personnel. He cited only two faculty vacancies in months and "these were filled at Marbury with math and science majors," he added.

The good school news was climaxed this week with final inspection of the new $250,000 junior high school, one of two brand new institutions opening in a few weeks here in Autauga County.

Also a new $240,000 high school for Negroes will be used for the first time. Other additions to school property are nearing completion in other sections of the county.

The new schools have been constructed in Prattville.

Supt. Hargis explained that the new school houses were "built without frills" but both are well-lighted, heated and equipment is adequate. Terrazzo tile from the local plant is installed.

Autauga County has 183 teachers for the sixteen schools, including 110 white teachers and 73 Negroes.

Bullock School Board Studies Economy Moves

Alabama Journal

UNION SPRINGS — The Bullock County Board of Education will consider twelve economy measures to aid schools in the county today at a meeting at the Courthouse.

Measures to be considered are:

1. That the school board members serve without pay. (They are paid $7 for each meeting.)
2. Abolish the position of football coach at Union Springs High School.
3. Abolish the position of band director at Union Springs High School.
4. Reduce the salary of the Superintendent of Education.
5. Reduce contracts of bus drivers by 10 per cent.
6. Reduce custodian's salary.
7. Give the assistant Superintendent of Education a year's leave of absence without pay.
8. Give secretary in Board of Education's office one years leave without pay.
9. Discontinue the positions of Guidance Director and part-time secretary of Union Springs High School.
10. Reroute buses coming to Union Springs to Inverness High School to carry additional children.
11. Raise tuition of each student to $15 and require payment before entering school.
12. Adopt other measures which might help situation.

School Operation Tied To 13.6 Pct. Proration

State Education Supt. W. A. (Bing) LeCroy said Wednesday that he is basing the minimum operating expenses for Alabama's elementary and high schools for 1961-62 on an unofficial proration of 13.6 per cent.

The present official proration is 9.4 per cent, but it is predicted by some close observers to the state's education situation that this figure may rise as high as a 14 to 15 per cent cutback during the next several months.

LeCroy said at this rate the requested budget for the state's schools next year will not be enough to meet the minimum needs of the schools and the state will not be able to maintain its present education standard.

According to the latest calculation by the superintendent and based on a 13.6 per cent cutback, the schools will receive $91,182,218 for operating expenses. This represents some $2 million less than was received by the schools in 1959-60.

LeCroy warned if proration does go as high as 14 or 15 per cent this year, the actual appropriation received would be lower than the $91 million figure.

"In order for us to meet our basic needs and to hold our own without falling below last year's standards we would have to receive an actual appropriation of $106,909,783 for the coming fiscal year," LeCroy declared, "and this would mean an additional $15,727,665 above what we are scheduled to receive after proration."

$20 MILLION NEEDED

He stressed the fact that an additional $20,727,644 would be required to meet the needs in all areas of elementary and high school education and allow for a 5 per cent salary increase for teachers. LeCroy said that if the requested 10 per cent pay raise for teachers was allowed, it would mean an additional $25,721,896 or a total actual appropriation of $116,904,114.

"When additional funds are made available we are going to improve our instruction program in all phases of education," the newly appointed superintendent stated.

The House Awakes To The School Problem

By Bob Ingram

THE HOUSE OF Representatives put on a show Friday which surely no member can look upon with much pride. It was, to a large degree, politics at its cheapest.



INGRAM

It can only be hoped that school officials, parents and the 800,000 school children were not misled by the shenanigans.

For months there have been warnings of an ever-worsening financial crisis in education. For just as many months the House of Representatives—with a few lonely exceptions—has ignored the warnings. As far as the House members were concerned, no such crisis existed.

Then all of a sudden Friday no less than 69 members came to the belated conclusion that a crisis did exist, an urgent one, if you please, to use the same word they used.

The 69 got themselves up a petition and tossed it not so gingerly into the laps of the House Ways and Means Committee, wherein there has rested for some weeks a handful of bills designed to aid education's financial plight.

To The Rescue

THE PETITION suggested that the 69 patron saints of education had been waiting around as long as they intended to for the committee to act and that they now planned to take matters into their own hands and force the bills out of committee.

That the committee members were put in an unfavorable light is stating it mildly. The implication was rather plain that the mean old committee members were deliberately thwarting the wishes of a House majority.

That, friends, is a lot of bunk. Admittedly, the committee has taken no action on any of the revenue bills, but the reason has been that it felt quite confidently that such measures faced an unkind fate in the House.

Certainly that was the overwhelming sentiment for weeks and weeks. Had it been otherwise there most surely would have been a call on the committee for action long ago.

But there was no such call until Friday, and that was the 27th day of a session which can run for but 36 days.

Question No. 1 for the petitioners—again with the exceptions—might be where have you been during the first 26 days of the session?

Question No. 2 might be—Do you really think any tax-raising bills could get through the snarled-up Senate at this late date even if they did pass the House?

The Sundowners

IT WOULD APPEAR, as was pointed out by several Ways and Means Committee members, that perhaps most of the petitioners were far more concerned with their political lives than with Alabama's school children.

Had they been sincerely concerned about the school crisis they would have hardly waited until the sunset of the session to voice such concerns.

Let it be remembered that come next May every member of the House must stand for reelection. He will stand better if he can point to a record of service in behalf of what they all call "Alabama's most precious and important product—our children."

It has been said earlier and should be expanded at this point—there have been a few men in the House who have been long concerned about the needs of education.

Rep. Pete Turnham of Auburn has tried very hard to arouse concern for the schools, but with little success. He introduced early in the session a bill to boost the income tax on corporations.

Rep. M. B. McLendon of Union Springs is another who cannot be called a Johnny-come-lately in the school fight. He has proposed a two-cent cigarette tax and a two-cent soft drink tax.

There have been a few others who have offered other bills to aid schools—Long and Barnett of Perry, Speaks of Chilton, Cabiness of Jackson, Ferguson of Tuscaloosa, to mention some—but such cannot be said for most of the 69.

In Sudden Haste

NOT A WORD has yet been said of the conclusion of Friday's fiasco. Once the petition had been filed, the committee wasted no time at all in reporting all the tax bills back out to the House.

Further, House Speaker Virgis M. Ashworth of Bibb announced a Rules Committee meeting on the eve of the next session where the tax measures could be given top priority and brought to an immediate vote.

This was precisely what the 69 petition signers insisted they wanted.

To get it, it was necessary for the House to suspend the rules to permit the tax bill to come out of committee, a four-fifth vote is required. The vote in favor of suspension was not even 2-to-1, much less 4-to-1 as required.

And where were the 69 on this vote. To be exact, 36 of them voted for the suspension of the rules; 4 didn't vote; and no less than 17 who participated in the charge of the lightweight brigade reversed themselves and voted against allowing the bills to be reported out.

Dumas' Lapse

SEN. LARRY DUMAS of Birmingham is by all standards one of the more capable men in the legislature. He has experience, intelligence and ability.

But Dumas committed a grave tactical error in last week's Senate filibuster, one which led directly to the upper house approval of the redistricting bill which does horrible things to Jefferson County.

A filibuster against the Ferguson redistricting bill was rolling merrily along when Dumas suddenly injected reapportionment into the squabble. Within a matter of moments the Black Belt turned on their some-time ally, Jefferson County.

The Ferguson plan was dropped like a hot potato, and before Dumas could count to 10 the plan to carve up Jefferson County jelled.

Resolutions Aimed To Avoid School Disaster

BIRMINGHAM (AP)—The Alabama Association of School Boards Friday took action on several resolutions aimed at what it was told may prevent disaster for the state public school system.

The association heard a report on a study conducted to learn how state school support could be avoided. School money in Alabama has been prorated for several recent years.

George Howard, executive secretary for the organization, will presents the findings of the study to Gov. John Patterson and the State Legislature.

One resolution asked the governor and the legislature to invest authority in a committee to make a long-range study of Alabama's tax structure. It asked for sufficient money and time for the study.

The group urged in another resolution that the legislature give local boards of education freedom in setting up their own budgets, with appropriations from the state being made in lump sums and with a minimum of direction as to how it is to be spent.

It was pointed out that local boards are hampered in attempts to anticipate proration by holding back some money because the spending of 80 per cent of each board's budget is directed by the state.

The study of the proration problem was made by several professors from the University of Alabama, Auburn University and by Raymond D. Fowler, secretary-treasurer of the retirement systems of Alabama.

Dr. H. B. Woodward Jr. of the University of Alabama College of Education, who served as chairman of the study committee, told the group:

"Unless financial aid is forthcoming — except in a few fortunate areas—our public school system is in danger of collapse.

"Boards of Education in Alabama are trying to provide better schools than the people will support.

"I don't know how they've done it. I don't know how long they can continue to walk on the edge of a precipice."

The committee report called generally for "improving the sequence of budget preparation, its presentation to the legislature, legislative review and legislative appropriations" to the end that appropriations and revenues be brought into close balance.

It proposed limited short term borrowing, under restrictions, to help eliminate proration of education money.

Patterson Committed To Closing

By GROVER C. HALL JR.
Editor, The Montgomery Advertiser
Special to Atlanta Journal-Constitution

MONTGOMERY, Ala., Jan. 21—John Patterson, the combative young governor of Alabama, said it once more last week. But it was more significant this time because it was said against the background of Athens, Ga.

There, said Gov. Patterson deliberately, the University of Alabama were faced with the entrance of a Negro student, the university would be emptied and padlocked.

Patterson repeated that he would ask the legislature for specific authority to close any school threatened with violence. However, he believes his office already is clothed with enough police power to do this.

"NOW, SOME people," Patterson dilated, "will say I'm

ALABAMA

trying to encourage violence by saying this. I am not. But I must speak frankly. Nothing will be accomplished by taking a head-in-the-sand ostrich attitude."

But what, reporters asked, would the governor do if he were looking into the muzzle of a federal court order to submit to the university integration as in Georgia.

"I'll cross that bridge when I come to it," replied Patterson.

In what fashion he would accomplish this crossing was a mystery.

Patterson has made reference to a system of private schools as a remedy but a plan for this remains unpublished.

Nor, despite respectful but persistent inquiry from Montgomery editors, has Patterson ever said how long he thought the schools would remain closed; whether a semester, or two or forever.

Hayes donates $50,000 to school fund

A gift of $50,000 to the Birmingham Engineering Education Program's fast-moving fund campaign was announced Saturday by Hayes Aircraft Corp.

A pledge for that amount was turned over to Thomas W. Martin, chairman of the board of Alabama Power Co. and chairman of the executive committee of the engineering education program, by Hayes President L. F. Jeffers.

Jeffers said his company had decided upon making the substantial gift in the interest of keeping young engineers in Birmingham to work for local industry.

"We believe this engineering program will provide the means for holding our talented youth here," he said. "In addition, a four-year course will attract other young engineers to this area. Hayes Aircraft is glad to be a part of a program that means so much to our industry."

OTHER RECENTLY announced contributions to the program were $15,000 from Rust Engineering Co. and $5000 from Protective Life Insurance Co.

Martin said the executive committee was "well pleased" with the response to an appeal to support the program to provide a four-year, degree-granting program in engineering at the University of Alabama's Birmingham Center.

"Business and industry have readily seen the need for engineering education that can be had right here so that our young people will remain with us to bolster the local economy," Martin said. "This generous financial assistance from progressive companies who are looking to the future is most encouraging."

Schools Hit New Crisis In Russell

PHENIX CITY (Special)—The threat of an early closing for Russell County schools was raised again Tuesday by Supt. H. B. Hamner.

Hamner said, "We will have nothing else to do" but close the schools, unless student fee collections increase before April 1.

In a letter to parents of county school children, Hamner pointed out that state funds will carry the schools only until April 7. The school board last fall, anticipating the fund shortage, levied a one dollar per student per month fee to provide the extra money for running the schools.

However, Hamner reported Tueday that collections of this fee are running less than half the potential, and unless the average picks up, a drastic shortage will occur.

His letter stated, "To pay the fee, is to support a full school term. Not paying the fee, will make a full school term impossible."

He said he hoped collections will increase as a result of this warning.

Ala. Vows To Close Schools

MONTGOMERY, Ala.—(UPI)—Gov. John Patterson told a news conference Monday he would shut the University of Alabama to keep Negroes from entering the school under court order.

"We can't run an integrated school system or allow Negroes in the university without chaos and violence," Patterson said. "This school business is only the beginning; the agitators want to eliminate our race as a white race."

Suit Charges Discrimination In Alabama White School

MOBILE (AP)—A federal suit filed Tuesday on behalf of a 6-year-old boy contended that when he tried to attend a school he was discriminated against "by people of his own race, color, and mixed blood group."

The U. S. District Court suit was filed on behalf of Willie B. Reed of McIntosh in Washington County. It was brought against the Washington County school superintendent, board of education, trustees of the Reeds Chapel School and four women accused of causing "a disturbance and threatening violence" at the school.

The court was asked to order the boy admitted to the school and protected. No hearing date was set.

The suit said that after conferences with officials of the school and the board, the boy was enrolled and started attending classes Jan. 3 at the school, located a mile from his home.

The action claimed that on Jan. 6 four women, Minnie Reed, Maggie Jane Orso. Viola Snow and Virginia Weaver, created a disturbance at the school and threatened violence if young Reed were not expelled.

The school principal, Mrs. Margaret Dickinson, dismissed school that Friday and it remained closed through the next week. The suit said the school was reopened Jan. 16 with orders from the school board not to admit students enrolled after Dec. 16. This excluded the boy.

The complaint said the community is populated by people of mixed blood and the "complainant's paternal and maternal grandfathers were a part of this mixed blood group and he is therefore related to most of the people in the community."

His neighbors attend the school, the suit said, and the boy is "not discriminated against by the white race, but by people of his own race, color, and mixed blood group."

Reeds Chapel is listed as a white school.

Gallion reveals plans for laws in mixing fight

MONTGOMERY, Ala., Feb. 24—(AP)—Atty. Gen. MacDonald Gallion has lifted the veil slightly on four bills he says he plans to submit to the Legislature in the fight to preserve segregation.

Gallion said in an interview yesterday that Alabama is without a law to maintain segregation in colleges and universities, as the state's freedom-of-choice school attendance measure and pupil placement law apply only to elementary and high schools.

Giving few details, the attorney general outlined these measures which he said are in preparation:

A GRANT-IN-AID bill containing "nothing new" and comprising "the best points of grant-in-aid laws passed in Georgia, Louisiana and Virginia" to provide state grants for parents to finance private education for their children.

A bill to make "minor" changes in voter qualification requirements.

A measure to strengthen the law against barratry, or incitement or promotion of lawsuits.

Legislative group meets—

Changes in pupil placement law reported studied

BY AL STANTON, News staff writer

MONTGOMERY, Ala., Feb. 25—A legislative committee reportedly has under consideration revision of Alabama's pupil placement law, enacted in 1957 to maintain segregation in public schools.

This was one of the topics understood to have been discussed at a closed meting Friday of the legislative screening committee headed by Rep. Sim A. Thomas of Barbour.

Other discussion reportedly centered around voter registration laws affecting Alabama and segregation bills passed recently by Georgia and Louisiana legislatures.



STANTON

Members of the committee, composed of 15 legislators, met for a second time Friday at the Capitol in another closed session.

They met Thursday along with the Macon County committee, charged with deciding whether to abolish the Black Belt County and assign portions to five surrounding counties.

REP. THOMAS said the committee decided nothing at the Friday meeting.

He said committee members only wanted to get each others' thinking about possible bills to be introduced at the coming session of the Legislature.

The committee was set up to screen legislation relating to segregation in Alabama, with proposed legislation being submitted to Birmingham Atty. Joe Johnson for close screening.

IT ALSO WAS reported that the committee was concerned with segregation proposals advanced by Atty. Gen. MacDonald Gallion, who has said he plans to submit bills to the 1961 Legislature to maintain segregation in Alabama colleges and universities.

Gallion did not appear before the committee Friday but said he would be glad to outline his proposals "at the proper time."

Rep. Thomas said the committee mainly was concerned with possible legislative proposals to be faced during the session starting in May.

Committee members, it was reported, discussed whether to amend the pupil placement law, which has been held constitutional on its face in federal court, or to leave it as it stands now on the statute books.

School Officials Reply on Mixing

BIRMINGHAM, Ala. (AP)—Birmingham school officials claim they are not required by Alabama law to integrate city schools.

The school board Thursday filed answers in U. S. district court to a suit by a group of Negroes seeking to integrate city schools.

The board answered 41 questions asked by attorneys for the Negroes. Many of them dealt with general information such as enrollment, comparable facilities, teachers, etc.

The board said each person signing a petition seeking to integrate the schools had been sent a letter stating why their petition was not considered an appropriate request.

The board said it feels that the petition does not call for any action which it or the school superintendent is required to take under the Alabama pupil placement act or any other applicable law.

No date for a trial was set.

Classes in church—

Negro school to open for mentally retarded

Plans are underway to open a school for Negro mentally retarded children, the first of its kind in Birmingham.

The school, sponsored by the Birmingham Council for Retarded Children organized in June, 1960, will hold classes in the nursery rooms of Westminster Presbyterian Church, 20 Sixth-av. sw.

MRS. VIRGINIA POINTS, council president and board chairman, said the school will have a half-day program and will teach approximately 12 children, between the ages of 8 and 14.

The school is scheduled to open about March 1.

Mrs. Points said eight children have already been screened and are ready for the program. The school will operate on a nine-month school term.

Members of the school's board of directors are the Rev. Harold Long, Dr. James T. Montgomery, Mrs. Geraldine Moore, Mrs. Alice Pigman, Mrs. Onie Kraus, Lawrence Meyers, Dr. Donald Palmer, Mildred Felder, Dr. Herbert W. Eber, W. L. Williams, Darcus Haslip, Mrs. Marguerite W. Stewart, Mrs. Carrie Jackson and Mrs. Helen Crawford.

Lawmakers Differ On Mix Or Close

(Editor's Note: Here is another in a series of stories concerning reactions of legislators to problems which may arise in the May legislative session.)

BY CLARKE STALLWORTH

If they ever face the choice, will Alabama legislators favor token integration in the public schools, or the abolishment of the public school system here?

A Post-Herald poll of Alabama legislators shows that many of the lawmakers would rather abolish the schools than integrate them, others would not answer one way or the other, and still others do not favor abolishing the school system.



STALLWORTH

The legislators were asked this question: "If the situation comes to it, do you favor token integration or the abolishment of Alabama's public schools?"

Here are some of the comments:

REP. GREGORY OAKLEY of Pine Apple—"Abolish public schools."

SOUTH ALABAMA LEGISLATOR — "Abolish."

SOUTH ALABAMA LEGISLATOR — "Abolishment. I will not sanction integration in any degree. In view of the present attitude of the Federal courts, I believe some form of private school system is the only answer."

SEN. NORMAN CRAWFORD of Marion—"This has too many ifs and ands. I think the situation at the time will have to determine what is best."

REP. L. W. BRANNAN of Foley—"I am not in favor of any integration, but if the worst comes, token integration may be best."

REP. ROBERT HARRIS of Fort Payne—"Unpleasant subject. I do not favor closing the public schools, period, exclamation point."

REP. A. D. BRITTON of Millry—"I favor closing the school that was trying to be integrated."

NORTH ALABAMA LEGISLATOR—"I'll simply say I'm against abolishment."

REP. TRAM SESSIONS—"I believe integration cannot work in Alabama."

EAST ALABAMA LEGISLATOR—"Abolish public schools. I can think of nothing as bad as integration. It would wreck our society, weaken both races, cause turmoil, and drive a wedge between the two races that could never be healed. Neither side would win. It would start a war that neither side could win. It would cause outright confusion and bloodshed. There must be a common agreement between the two races."

SEN. RUFUS BARNETT of Ozark—"Never integrate. We will be able to operate our schools in a satisfactory manner without bowing to an unlawful decision by communistic inspired court."

NORTH ALABAMA LEGISLATOR—"I will vote to close all public schools."

REP. BUFORD COPELAND of Gadsden—"I want to play this one by ear."

NORTH ALABAMA LEGISLATOR—"It would be difficult and complex to abolish public schools."

NORTH ALABAMA LEGISLATOR—"Abolish public schools."

REP. H. B. TAYLOR of Georgiana—"No integration, no matter what the cost."

NORTH ALABAMA LEGISLATOR—"I am against integration, period."

NORTH ALABAMA SENATOR—"Our independent district law will help to solve some of the integration problems. The people should solve that problem in each county independently of what may happen in other counties. Some counties may not have any problems in years, and they would not want to close their schools because of troubles in counties may miles away."

SOUTH ALABAMA LEGISLATOR—"Each situation should be solved locally by the people directly involved."

SOUTH ALABAMA LEGISLATOR—"I hope to God I will know the right thing to do when the time comes."

SOUTH ALABAMA LEGISLATOR — "Abolishment of public schools."

REP. A. K. CALLAHAN of Tuscaloosa—"I would prefer to cross this bridge when I get to it."

14d(1) 1961 ALABAMA

School Closings,

The Montgomery Advertiser

Shortages Stare

p. 1 Fri. 7-14-61

Counties In Face

Desperate

Montgomery, Ala.

Search On

For Funds

Addtional revenue must be raised or Elmore County schools will not operate this fall, Education Supt. Ross McQueen said Thursday.

In Crenshaw County, Education Supt. Clem Carpenter said June pay checks for teachers are almost two weeks overdue and "I don't know when we'll be able to pay them."

The Bullock County Board of Education in an emergency meeting Thursday arranged to borrow $45,000 necessary to meet the overdue teacher payroll for June. Education Board Chairman R. E. L. Cope said he has "no idea" how the next payroll will be met. He estimated that the school system would begin the year in the fall with a $10,000 to $15,000 deficit.

Representatives of the Bullock County Teachers Association appeared before the board Thursday and asked for contracts by Aug. 1 assuring them of a yearly salary no less than the salary for the present. The board did not give a definite answer. The association will meet Wednesday to hear the latest information.

Elmore teachers have voted by a 123-5 margin not to accept a pay cut when the school terms begins in September, McQueen said. He noted that proration will cost the county another $100,000 next year. Elmore schools lost more than $100,000 due to proration last year.

18 PROFS DROPPED

The Elmore school board already has notified 18 teachers they will not be rehired this fall. A school steering committee Wednesday night proposed a one-cent sales tax to raise school revenue McQueen estimated such a tax would raise $127,000 annually. A public meeting was scheduled Thursday night.

McQueen said Gov. John Patterson and the last legislature did a "good job" providing school funds, but that there is a limit to what the state can provide. He said 83 per cent of Elmore's school funds come from the state.

Citing the governor's opposition to more state school taxes, McQueen said the money apparently would have to come from local sources.

Meanwhile, in Crenshaw County Carpenter said, "It's not only the teachers who haven't been paid. None of us—neither office personnel nor bus mechanics—have been paid."

The Crenshaw system is unable to borrow money because it has reached its legal debt limit of $120,000.

"We have a little more than where the money to pay the teachers there is coming from.

Walter McKee, superintendent of city - county schools in Montgomery, said the system paid off all its teachers for the 1960-61 year but he added that the prospects for next year do not seem bright at the time.

Advertiser

One reason the system made ends meet for the year just completed, he said, is that school bond funds were used in many instances to add classrooms, instead of using local funds for this work and saving the bond funds for major new construction. Also, he said, "we had to reduce the amounts spent on maintenance and for equipment" and the per teacher load was increased somewhat.

p. 2

The system received about 66 per cent of its financial support from the state, 10 per cent from the federal government and 24 per cent from local tax sources.

MORE PUPILS

A total of 1,309 more children entered Montgomery schools last year than the year before and McKee said he anticipates another increase of from 1,200 to 1,500 next year.

Montgomery Ala.

As one step toward a solution, the legislature is considering a constitutional amendment to raise the state income tax ceiling on corporations from 3 to 5 per cent. This revenue would be earmarked for schools.

W. A. LeCroy, newly installed state school superintendent, was among those testifying for the amendment before the House Ways and Means Committee Wednesday. The committee delayed action on the measure.

McQueen said the Elmore County board borrowed $59,000 last month to enable it to pay teachers "in full to date."

Three Elmore principals have had their pay reduced $1,000 annually. Principals at Wetumpka, Eclectic and Holtville have been paid $7,000 in the past and the superintendent only $6,000, the maximum allowed under the law.

LOSE ACCREDITATION

But the Southern Association of Secondary Schools and Colleges has ruled that the schools would lose accreditation at the beginning of this term due to an association requirement that the superintendent must be the highest paid person in the system.

An attempt to pass legislation to raise the superintendent's pay died June 30 when the local bill had not been passed by the legislature. McQueen took office for a second term July 1, and state law forbids an elected official from receiving a pay increase during a term of office. The cut also affected the Elmore County band director whose pay was more than $6,000.

Teacher salaries could be met this fall under present conditions if transportation were canceled, but that will not happen, he said. Then a 10 per cent teacher pay cut would be necessary, he said.

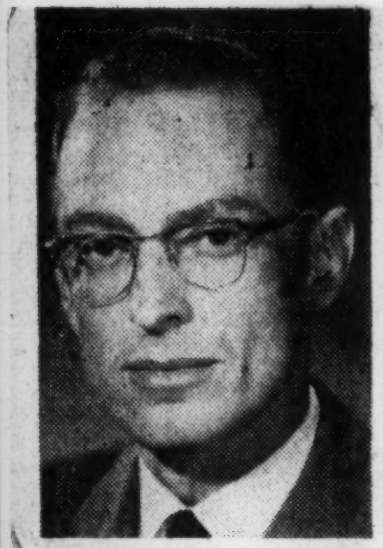
Teacher salary and transportation costs come from the state, McQueen said, and the county-wide 7-mill ad valorem tax provides only for lights, repairs, heat, maintenance and other operating costs.

$15,000 in the treasury and we owe $60,000 in salaries due July 1," Carpenter said. "We don't know whether our teachers will teach or not if we are unable to pay them."

At least three other counties have already reported they are behind on teacher payrolls. In Clay and Lamar, teachers were not paid in full for June. Choctaw salaries are three months behind.

Clay County teachers have voted to quit rather than accept pay cuts next fall.

Clarke County Supt. Forest L. Mathews said he doesn't know



WOULD END EARMARKING — Sen. Will Caffey.

Caffey Asks End To Earmarking

Sees Move Guard Against Integration

MONTGOMERY, May 4 (AP)—A state senator proposed today to abolish the earmarking of all state tax revenues as a safeguard, among other things, against forced operation of integrated schools.

Sen. Will Caffey of Mobile said he will introduce a constitutional amendment tomorrow to do away with all special trust funds, such as the one for education, and put all tax money into the state's general fund.

With other enabling legislation which would have to follow, Caffey said it would unfreeze the taxes now earmarked for schools and other special uses.

Thus, he explained, if the Federal courts undertook to force the state to operate public schools rather than close them to avoid integration, the Legislature could refuse to appropriate the money.

But as long as some taxes—like sales and income—are collected for education and earmarked for that alone, Caffey said the courts might be able to order the state to use them for integrated classrooms even in the absence of a legislative appropriation.

Return Today

The House and Senate return for the second legislative day of the 1961 session tomorrow after two days of committee work. There was little activity today, however, with only the Senate Finance Committee functioning.

Caffey, explaining his proposed anti-earmarking amendment, said "the primary reason is that the Legislature needs greater flexibility in the control of state affairs, particularly in the field of education where they are trying to tell the states that they have to maintain public education."

He referred to a pending suit in Prince Edward County, Va., where the Justice Department has intervened in an effort to force the reopening of closed public schools.

But there are other reasons for abolishing special trust funds, the Mobile attorney continued. For one thing, he said it would do away with unspent balances in various funds and make more money available for appropriation.

And, he added, it proration is necessary as it has been for the past five years in the Educational Trust Fund, it would apply to all state agencies instead of the schools alone. However, his amendment would exempt per capita allocations to eleemosynary institutions.

Most Earmarked

Caffey said that out of approximately $500 million spent last year in state revenue, the Legislature now can appropriate only about $38 million for general use. The rest is earmarked for one purpose or another.

The Senate said he realizes it may be a big step to take all at once, and suggested a study committee might have to be created to look into the overall effect. But, he added, "we've got to start somewhere."

In other developments today:

1. Sen A. C. Shelton of Calhoun said he will "study very carefully" all bills to raise the pay of state officials and employes. But he did not say whether he would filibuster against them as he has in the past.

2. Rep. Robert E. Harris of DeKalb disclosed his intention of introducing a bill to provide a three-judge panel to hear utility rate cases appealed from the Public Service Commission. One judge in Montgomery hears them now.

Alabama Bills Hit Integration

Measures Are Offered To Permit Closing Of Public Schools

By United Press International

MONTGOMERY, Ala., May 5.—Administration bills aimed at closing state public schools in the face of court-ordered integration were introduced in the House Friday.

Representative Ira D. Pruitt of Sumter, who sponsored the measures, said they would give the Governor power to end public education in the event of a "disturbance, disorder or something of that nature."

"The bills do not specifically mention Negroes," Pruitt said, "and they don't mention integration either, but they do give the Governor the power to close the schools if necessary."

Request Killed In 1959

The Legislature killed the Chief Executive's request in 1959.

Gov. John Patterson had warned in his "State of the State" address he was "unalterably opposed to the integration of the races in our public schools (and) I will continue in the future to resist with every means at my command any attempt by the Federal Government or anybody else to force integration of the races upon us.

"Before I would submit to the integration of any school, I will recommend we close that school."

Pruitt said the separate bills gave the Administration power over the state's elementary schools and over the institutions of higher learning.

Would Decentralize

Asst. Atty. Gen. John Bookout disclosed Thursday Atty. Gen. MacDonald Gallion will introduce a five-point package of bills aimed at maintaining white supremacy next Friday. One of the bills concerns the state's colleges and universities.

Patterson had said his bills would "recommend the enactment of a law placing our state colleges—with the exception of the Negro colleges—under the control of separate boards of trustees if they are not already under such boards."

The Governor said he saw the need for "further decentralizing control of our colleges due to continued attacks by race agitators to integrate our schools.

"This decentralization would make it more difficult for these agitators to attack more than one college at a time."

Dumas says plan would boost schools

MONTGOMERY, Ala., May 5—(AP)—A legislator says his proposal to have the State Board of Education elected by the people and the state superintendent appointed by the board would strengthen the schools.

"It would set up a pattern of educational control by the people of Alabama and keep in office a trained superintendent as long as he does a good job," said Sen. Larry Dumas of Jefferson County.

Dumas introduced measures Tuesday to have the board elected by the voters instead of appointed by the governor, and to let the board choose the superintendent instead of the people electing him.

UNDER THE present law the superintendent cannot succeed himself, so a different educator takes office every four years.

Dumas' measures, pending in the education committee, would create an eight-member elective board, one from each of the anticipated eight new congressional districts. Neither the governor nor the state superintendent would serve on the board as they do now.

Patterson Pushes Convention Call

Birmingham Post Herald

Birmingham Ala

Sat. 5-6-61 P1

Sends Resolution To Revamp Constitution To House Unit

MONTGOMERY, May 5 (AP)—Gov. John Patterson carried out his threat today to use a constitutional convention call as a weapon against foes of legislative reapportionment.

He tossed into the House a resolution calling for a new constitution, but instead of seeking an immediate vote, he let it go to committee to give the Legislature a chance to act on reapportionment first.

Then a short time later the Administration put its own legislative reshuffling bill into the works—a constitutional amendment calling for a 120- member House and a Senate of 40 members.

The governor told the Legislature at the opening of the 1961 session three days ago that he would drive for a constitutional convention if the House and Senate refuse once more to reapportion themselves.

Other reapportionment measures also popped out like a rash today on both sides of the corridor. Besides the Patterson bill, four new versions appeared in the House and four in the Senate.

The upper chamber meanwhile witnessed the first showdown vote since the new session opened.

In a go-slow warning against hasty appropriation of state funds, a bill to allocate $85,000 to the State Oil and Gas Board was sent back to committee on a 14-11 roll call vote.

Also in the Senate, the Administration floor leader, Vaughan Hill Robison of Montgomery, introduced a measure to require bids on the sale of state property as well as the purchase of equipment and supplies.

Patterson has been severely criticized for the sale of state-owned cars under negotiated contracts, without bids.

School Bills

Two Administration-sponsored bills to give the governor power to close integration-threatened schools—defeated in 1959—made their appearance again in the House.

Rep. Ira D. Pruitt of Sumter County, the newly elected speaker pro tem introduced one measure applying to colleges and another to public schools.

City and county school boards already have the authority to close schools to prevent integration.

Alabama's $1.50 a year poll tax came into the newly developing legislative picture from opposite viewpoints.

Rep. Bernard Cabiness of Jackson County offered a constitutional amendment to abolish it altogether; Sen. Roland Cooper of Wilcox proposed to make it even more restrictive.

Cooper's amendment would restore the old cumulative poll tax under which all past due payments must be paid in a lump sum before a voter can cast his ballot.

Under the present law, the retroactive requirement goes back only two years—or $3.

Urges Divorce Law

As he said he would, Sen. Will Caffey of Mobile threw in a repealer to knock out Alabama's controversial "quickie" divorce law. Caffey's bill would put the minimum residence requirements back to 12 months.

There is no time limit now if the husband and wife are under the jurisdiction of the trial judge, and hundreds of out-of-state couples have made hurried trips to Alabama to dissolve the bonds of matrimony.

Another version of congressional redistricting came from Rep. T. R. Long of Perry County. And in the Senate, Sen. Walter Givhan of Dallas introduced one identical with the plan submitted across the hall earlier by Rep. Arthur Louis Ferguson of Tuscaloosa.

Patterson's constitutional convention resolution provides for a statewide referendum next Oct. 3 to see if the voters want the state's organic law rewritten. At the same time, but on separate ballots, they would vote for convention delegates on the basis of one for each 25,000 population. Every county would get at least one delegate.

Birmingham

Post

Convention Resolution

If the voters approved the call, the convention would open next Nov. 7 in Montgomery, and while no time limit would be fixed on the deliberations, the delegates would draw no pay after 60 calendar days.

Sat. 5-6-61

The convention would notify the secretary of state within one week after it finished it work, and that official in turn would have another week to notify the governor.

The chief executive then would call another referendum within 20 to 60 days. Its purpose would be for the voters to ratify or reject the new constitution.

P2

The resolution, introduced by Rep. Tom Bevill of Walker, went to the Administration-dominated Rules Committee which, under House rules, can report it back any time, even during the consideration of other business.

But black belters could filibusterit the same as a legislative act.

The spending showdown in the Senate came when the Finance Committee reported back a bill allocating $85,000 to the oil and gas board to equip its new building at Tuscaloosa.

Sen. Douglas Webb of Escambia County, chairman of a special committee which studied state parks needs, said his group recommended use of some of the oil and gas tax revenue for park development.

The appropriation measure was recommitted on Webb's motion.

School Funds, Segregation Issues Faced By New Legislative Session

Birmingham Post-Herald P5

Birmingham Ala

MONTGOMERY, April 30—The 1961 Legislature, which opens its 4½ month stand at noon Tuesday, should prove to be the wildest filibustering session in state history.

A high-positioned career employe with the state said, "I'm looking forward to it with wonderment."

Mon. 5-1-61

The legislators are faced with many crucial issues:

—Reapportionment.
—Redistricting.
—More money for schools.
—Segregation.
—Higher interest rates on small loans.
—Macon County.
—Competitive bidding.
—Quickie divorces.

School leaders are demanding a $65 million increase over the $138 million classrooms probably will receive during the current fiscal year. However, Patterson's floor lieutenants are opposed to any new taxation for schools.

The Federal government has launched voting investigations in nine Alabama counties in recent months and many legislators desperately are seeking ways of maintaining white supremacy in counties like Macon, Barbour, Bullock and Green where Negroes outnumber whites. Atty. Gen. MacDonald Gallion has suggested a school system based on the so-called West Point plan in which students would be appointed to schools by members of the Legislature.

Former State Sen. Sam Engelhardt, now highway director, as well as Macon County leaders are convinced if something is not done to preserve white supremacy in the county by the present Legislature a Negro will be elected to the House or Senate within the next five years. An interim study committee has been working on the Macon County issue since 1957 and a Federal court order outlawing alleged discrimination in the county may force the Legislature to abolish the county this Summer.

Patterson wants to tighten up the competitive bidding law to trim costs on highway maintenance. However, there are many legislators opposed to any further changes in the law which former Gov. Jim Folsom fought during his last term.

LAST FISCAL YEAR

46 State School Bodies In Red

By THE ASSOCIATED PRESS

State Shcool Supt. Frank R. Stewart said Tuesday 46 of Alabama's 116 city and county school systems operated in the red during the last fiscal year.

Operating deficits totaling $2,653,097 were reported by the 30 county and 16 municipal systems for the 12-month period ended last Sept. 30, he said.

And, said Stewart, many of the 70 other systems without operating deficits had to curtail their programs by dismissing teachers and cutting expenses for maintenance and instructional supplies.

Of those running in the red, county system deficits amounted to $2,418,554, cities $234,543. Stewart said many of the 46 systems had to raise local funds or borrow money to get through the year.

During the 1959-60 fiscal year, state school spending was cut 8.35 per cent because tax collections fell short of legislative appropriations. A 9.4 per cent proration has been ordered this year for the same reason.

Stewart said operating deficits for the past fiscal year were:

County:

DeKalb, $667,767; Lauderdale, $171,350; Crenshaw, $145,921; Clarke, $141,040; Marion, $114,412; Franklin, $102,876; Lamar, $94,072; Choctaw, $78,738;

Lowndes,$ 76,758; Blount, $75,399; Randolph, $73,790; Cullman, $71,657; Cherokee, $61,969; Elmore, $55,705; Conecuh, $52,513; Chilton, $48,520; Walker, $46,017;

Russell, $41,621; Coffee, $40,518; Jackson, $39,792; Wilcox, $33,660; Lawrence, $32,267; Butler, $31,958; Clay, $31,737; Houston, $19,852;

Tallapoosa, $19,275; Covington, $18,052; Calhoun, $13,216; Geneva, $10,135; Madison, $8,058.

City:

Anniston, $49,922; Bessemer, $35,063; Scottsboro, $27,241; Decatur, $21,874; Jasper, $17,631; Fairfield, $16,428; Sylacauga, $10,294; Fort Payne, $9,818;

Opp, $9,373; Roanoke, $8,536; Atmore, $8,469; Tuscumbia, $6,909; Attalla, $5,603; Florala, $4,783; Athens, $1,352; Birmingham, $1,247.

Negro Center Site Purchased

OPELIKA, (Special) — The city of Opelika has purchased a 23-acre tract on land as a site for a proposed recreation center and elementary school for Negroes.

According to Mayor T. K. Davis Jr., the land was purchased for $29,196 and will have frontage on three streets.

Exact location of the proposed buildings has not been determined. The city sold general obligation bonds for construction of the two buildings, plus additional recreation facilities for white people, last summer.

Boys, Girls Segregation Is Proposed

JASPER, March 9 (AP) — State Rep. Alonzo Shumate of Walker County today outlined plans for a bill that would place boys and girls in separate schools in Alabama in event of integration.

"This would be a safeguard we would throw up when and if all other means to prevent integration are exhausted," he said.

Shumate said separation of the sexes would "remove some of the ill-effects . . . and cause less turmoil and strife" in case of integration.

He said he would introduce the bill when the Legislature convenes in May.

Ala. Gov. would close schools if integrated

MONTGOMERY — Gov. John Patterson vowed last week he would close the University of Alabama or any other public school if necessary to prevent racial integration.

In an hour-long press conference Patterson was asked what he would do if a Federal Court ordered the admission of non-whites to the University of Alabama as was done at the University of Georgia.

"The University of Alabama is governed by a board of trustees of which I am ex-officio chairman," he said. "I have but one vote on that board and I don't know how the other board members would vote. But the governor of the state has the inherent power to take whatever steps are necessary to preserve law and order."

Asked if this meant he would use his police power to close the University Patterson replied" "Yes, I would do that."

$65 Million Hike Sought By Schools

$40 Million Extra Also Being Asked For Building Needs

By REX THOMAS

MONTGOMERY (AP) — Alabama's financially troubled schools are asking for a record $65 million budget increase for the next fiscal year, plus $40 million for building needs.

No official estimate has been made of probable revenue from existing taxes, but the money available almost certainly will fall fall far short of the educators' goal unless the Legislature provides new income. And there is little evidence of new tax sentiment among the House and Senate members.

In submitting their budget request, school leaders did not say where the additional money might be found. Those recommendations, if any, will come this summer when the Legislature takes up the appropriation bills.

But in past years, educators generally have taken the position that it is up to the Legislature and not them to suggest new sources of revenue.

$51 MILLION LOAD

Nearly $51 million of the requested $65 million increase in operating funds for next year would go to the public schools, which operate out of the state's minimum program fund. Institutions of higher learning, trade schools, administrative functions and debt payments would get the rest.

For the following fiscal year, 1962-63, the proposed budgets are even higher. Public schools are asking for an additional $2.8 million; the others for an extra $1.5 million.

Other state departments and agencies are requesting bigger appropriations, too. General fund requests for the coming year totaled $9.5 million more than the amount currently budgeted.

The budgets have been submitted to Gov. John Patterson to guide him in making his recommendations to the Legislature when it convenes in May. He has not said what portion of the increase, if any, he will propose.

School funds for the current year have been cut 9.4 per cent below the amount appropriated by the Legislature just as they were in four preceding years of proration.

CURRENT CUTBACK

The current cutback was ordered last October after it became apparent that tax revenues would fall some $13 million short of the $151,477,000 originally allocated.

Actual payments to the schools and colleges for the fiscal year which ends Sept. 30 will total an estimated $138,300,000.

For the coming year, the proposed education budget is $203,701,000. That is $64,401,000 more than schools expect to receive this year. And for 1962-63, the budget requests total $208,006,000.

Over and above that, the colleges are asking for $40,853,000 next year, and $17,539,000 in the following 12 months to meet their building needs.

The public schools alone—elementary and high school—propose to spend $146,639,000 for operating expenses, including teacher salaries, in the coming year and $149,379,000 the year after that.

Minimum program fund appropriations for the current year total ed $105,534,000, but proration trimmed that to an estimated $95,614,000. Thus, public schools are asking for $50,925,000 more than the amount they expect to receive this year.

While no official estimate of revenue for next year has been made, the State Revenue Department says a normal increase in tax receipts is 5 per cent a year.

On that basis, the present taxes for schools would yield approximately $143 million next year, 5 per cent more than the $138.3 million expected to come in this year but far short of the requested $203.7 million.

For non-school expenditures, budget requests from the general fund next year total $41,811,000, compared with appropriations for this year of $40,371,000.

New School Contract Let For Macon

TUSKEGEE, (Special) — A contract has been let for a new junior and senior high school building for Negro students in the Cross Keys community, near Shorter.

C. A. Pruitt, Macon County superintendent of education, said the contract was awarded to Conner Brothers of Tuskegee.

The cost of the eight classroom structure, which will also have facilities for library, science laboratories, vocational home economics rooms, vocational agriculture rooms and a gymmasium, will be about $234,000.

The new building will accomodate about 350 students. The school is presently a two-room structure.

Pruitt disclosed that education funds in excess of $50,000 had been received from federal sources, a part of the program to provide help for federally affected areas. Pruitt said these funds will take care of slightly more than half of the shortage caused by proration for the year.

By School Board—

Washington County Suit Charges Discrimination

MOBILE, Feb. 21 (AP)—A Federal suit filed today on behalf of a 6-year-old boy contended that when he tried to attend a school he was discriminated against "by people of his own race, color, and mixed blood group."

The U. S. District Court suit was filed on behalf of Willie B. Reed of McIntosh in Washington County. It was brought against the Washington County School Superintendent, Board of Education, trustees of the Reed's Chapel School and four women accused of causing "a disturbance and threatened violence" at the school.

The court was asked to order the boy admitted to the school and protected. No hearing date was set.

The suit said that after conferences with officials of the school and the board, the boy was enrolled and started attending classes Jan. 3 at the school, located a mile from his home.

The action claimed that on Jan. 6 four women, Minnie Reed, Maggie Jane Orso, Viola Snow and Virginia Weaver, created a disturbance at the school and threatened violence if young Reed were not expelled.

The school principal, Mrs. Margaret Dickinson, dismissed school that Friday and it remained closed through the next week. The suit said the school was reopened Jan. 16 with orders from the school board not to admit students enrolled after Dec. 16. This excluded the boy.

The complaint said the community is populated by people of mixed blood and the "complainant's paternal and maternal grandfathers were a part of this mixed blood group and he is therefore related to most of the people of the community."

His neighbors attend the school, the suit said, and the boy is "not discriminated against by the white race, but by people of his own race, color, and mixed blood group.".

Reeds Chapel is listed as a white school.

Gallion Reveals Plan To Uphold Segregation

BY DON MARTIN
UPI Staff Writer

MONTGOMERY, May 4 — The attorney general's office today revealed a five-point plan for maintaining white supremacy in Alabama.

The package proposal originally was scheduled to be introduced in the Legislature tomorrow, however, the three-day meeting of the Southern Regional Organization of Attorneys General at Point Clear Sunday delayed final drafting of the four bills.

Atty. Gen. MacDonald Gallion, who has been working on the proposals for more than two months with his closest advisors, will serve as host at the Point Clear conference.

The five proposals:

Establish a West Point system of admitting students to the state's institutions of higher learning—a constitutional amendment.

Provide bonuses to anyone on welfare rolls who wants to move out of Alabama and remain out of the state for at least a year.

Establish a central clearing house for filing criminal records.

Strengthen Alabama's corporation laws.

Stiffen the punishment for violating the state's barratry laws.

Assistant Atty. Gen. John Bookout said another proposal was quashed because it duplicated the push-button voter registration machine introduced Tuesday by Sen. L. K. Andrews of Union Springs.

To Be Ready Soon

"None of the measures are in their final form," Bookout said, "but (assistant Atty. Gen. Leslie) Hall and I have already made tentative drafts. They should be ready for introduction when we get back from Point Clear."

Bookout said the West Point plan would establish a system of admitting students to the state's colleges and universities similar to that used by West Point, Annapolis, the Air Force Academy.

The second measure, Bookout explained, would permit the state to pay the transportation costs out of Alabama to anyone on the welfare rolls and to provide a bonus of a year's welfare benefits if they remained out of state. Bookout refused to comment on whether the bill was aimed at attracting Negroes into moving North from regions where they heavily outnumber whites on welfare rolls.

Clearing House

The assistant attorney general said the third bill would set up a central clearing house for filing records of felonies committed by any individual. "When a felony is committed, the court would file a copy of the individual's record to the clearing house and another to the board of registrars of the county in which the individual lives."

Any one convicted of a felony in Alabama loses his right to vote.

Bookout said strengthening Alabama's corporation laws would insure that no organization like the National Association for the Advancement of Colored People could operate in Alabama without registering with state authorities. The measure would require corporations to identify their members and officers.

The final measure, Bookout explained, would "put teeth" into Alabama's barratry laws which prohibit incitement of litigation. The bill would set stiff punishment for any attorneys deliberately provoking integration suits.

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ALABAMA

To parochial, public students—

Battle lines form over school funds

BY JULES LOH
AP Newsfeatures writer

The question of whether federal aid to education should include parochial schools already has caused more clamor than any other domestic problem of the New Frontier.

Realizing the fireworks are not yet over, President Kennedy has appealed for restraint in discussion of what he called "this sensitive issue."

A noisy fight, he reasoned, could cause divisions which might harm the nation. His supporters on Capitol Hill point out it also could harm the chances of Congress approving his proposal to distribute $2.3 billion of federal money among public grade and high schools only.

Should federal aid go to parochial schools as well as public schools? Would it be constitutional?

Scores of lawyers have attacked the problem from all directions; multitudes of words have been written on the subject. So far nobody has found an answer that satisfies all.

THE DISCUSSION REVOLVES around such words as "direct," "indirect," "welfare," and "supplemental," and becomes all the more complex because the participants often disagree not only on the definition and application of the key terms, but even on the basic question they are trying to decide.

Opponents of parochial school aid say the question, put simply, is: Does the constitution allow the government to use public money to advance a sectarian school system?

To answer it they cite the Everson case of 1947 in which the Supreme Court ruled it was within the Constitution to transport parochial school students (in New Jersey) on public school buses.

The legal staff of the Department of Health, Education and Welfare, in cooperation with attorneys of the Department of Justice, cited the opinion in the Everson case to suport its view that direct grants or across the board loans to church schools would be unconstitutional.

Judges in the Everson case declared:

"No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion."

End of argument? Not exactly. Those in favor of such aid argue there are more basic issues to be settled and another constitutional question involved, the matter of equal protection of the laws. They ask:

May the government dispense public funds to promote the general education of its citizens and not include all the children who attend accredited schools?

TO ANSWER IT they note the right of a parent to select any accredited school for his child and cite the opinion of the 1926 Frost case in which the Supreme Court interpreted the 14th (equal protection of the laws) amendment as it applied to the right of a private trucking company to use the public highways:

"If the state may compel the surrender of one constitutional right as a condition of its favor it may, in like manner, compel the surrender of all. It is inconceivable that guarantees embedded in the constitution . . . may thus be manipulated out of existence."

Before examining the specifics of each side's case, here's some background:

Chief advocates of parochial school aid today, as in the past, are the bishops of the Roman Catholic Church whos 15,000 elementary and high schools educate about five million children. Combined with other denominational and private schools, the nation's non-public school enrollment amounts to 6.8 million—about one out of every seven children.

In the past two decades the nation's population has grown 37 per cent, public school enrollment has increased 42 per cent and education costs have skyrocketed.

The nation's Catholic population during the same period has doubled, and parochial school growth has been 147 per cent. Despite the growth of its school system, the Catholic church has not been able to keep up with the boom in Catholic population. There are as many Catholic children in public schools as there are in parochial schools.

Each time a general education bill has come before Congress, beginning with the first in 1949, the Catholic hierarchy has made its position clear.

THE BISHOPS themselves, however, are divided on the desirability of Federal aid in general. But they agree that if there is to be federal aid, it must include parochial school students. If it did not, they said, they would consider it discriminatory legislation and would be obliged to oppose it.

This was the substance of their joint statement regarding the Kennedy proposal.

They suggested aid in the form of long-term low interest loans which they felt would be "strictly within the framework of the constitution."

Sen. Joseph S. Clark D., Pa.) has introduced such a bill and the Senate education subcommittee scheduled hearings for April 17-18.

The Clark bill would authorize $350 million in loans to church and private schools over the next two years at an interest rate high enough to assure that the government would not lose money.

At least 48 congressmen have introduced bills during the current session providing for some form of relief to taxpayers who pay for their children's education — tax credits, deductions and the like.

PRESIDENT KENNEDY has asked that all such measures be considered independently of his general aid bill rather than as amendments.

Obviously general federal school aid measures, with their history of repeated failures and no successes, face tough sledding in Congress even without provisions for parochial school aid.

Nevertheless Catholic spokesmen are known to oppose considering parochial school aid separate from the main bill. They feel it would have less than the barest chance of passing, and moreover would be unfair.

Dr. Harold A. Bosley, Methodist clergyman and author of a study of the parochial school aid question, takes the view that "a parochial school is in no sense a public school" and cannot be treated as one.

"The parochial school is an essential part of the church which creates it," he says.

He points out administration of the parochial school rests strictly with the church and not with the community, and that "the axiom that voters and taxpayers have a basic right to have a decisive voice in how their tax money is used is denied by the parochial school system."

When parochial school administrators seek public funds, he says, "they are asking that they be treated as public schools at the tax office but nowhere else."

The public schools are available if parents choose to use them, says Dr. Bosley. If they do not, it is their own choice and the additional expenses involved become their freely assumed responsibility.

THE OTHER SIDE contends that when parents send their children to parochial schools they are not simply engaging in a privilege indulged them by the state; they are exercising a constitutional right the state cannot deny them. They point to a unanimous Supreme Court decision, the 1925 Pierce case which overturned an Oregon law requiring attendance at public schools only:

"The fundamental theory of liberty . . . excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

If this is their right, they argue, then the state cannot compel them to surrender it as a condition for participating in general educational benefits. They insist a person's constitutional rights must have no strings attached.

Birmingham Hits Suit on Integration

BIRMINGHAM, Ala. (AP) — Birmingham school officials contend they are not required by Alabama law to integrate city schools.

The school board Thursday filed answers in U.S. District Court to a suit by a group of Negroes seeking to integrate city schools.

The board answered 41 questions asked by attorneys for the Negroes. Many of them dealt with general information such as enrollment, comparable facilities and teachers.

The board said each person signing a petition seeking to integrate the schools had been sent a letter stating why their petition was not considered an appropriate request.

The board said it feels that the petition does not call for any action which it or the school superintendent is required to take under the Alabama Pupil Placement Act or any other applicable law.

No date for a trial was set.

$37.5 Million In U.S. Funds Allocated To State Schools

By THE ASSOCIATED PRESS

Alabama schools where defense installations have substantially increased the classroom load have received nearly $37.5 million in federal funds in the past 10 years.

In the decade from 1951 through 1960, Uncle Sam has made $18,368,154 available for day-to-day operation and maintenance, and $19,077,167 for building construction.

The summary is contained in a recent report from the U.S. Commissioner of Education showing how money has been spent in the various states under the two federal laws which make the funds available.

Generally, the money is allocated to communities where:

—Local school revenue has been diminished by federal acquisition of taxable land.

—Children living on federal property, such as military bases, or children of parents employed by the federal government are educated in the public schools.

ATTENDANCE INCREASE

—There has been a sudden and substantial increase in school attendance because of federal activities.

—School districts have insufficent funds to provide adequate buildings for the increased school population.

Huntsville and Madison County, with their huge missile center, got the largest allotment, totaling $4,319,775, of school construction funds. Huntsville city schools received $3,791,842 and the county an additional $527,933.

Mobile, a hub of shipping and shipbuilding activity and feeling the impact of a heavy influx of personnel to Brookley Air Force Base, was the next biggest spender of federal building money. The combined city-county school system got $4,247,038.

Montgomery, headquarters of the Air University and Maxwell and Gunter Air Force Bases, was third with $3,160,050.

Anniston, where Ft. McClellan had an impact on the economy, got $429,312 and Calhoun County another $1,106,521. Dale County, its school population increased by children from Ft. Rucker, received $1,153,212, and Ozark, the county seat, got $684,475.

OTHER ALLOCATIONS

The rest of the building money went to:

Baldwin County $331,805; Selma city schools $199,097; Macon County $433,419; Sylacauga city schools $250,277, Talladega city schools $84,612 and Talladega county $584,753; Troy $80,230; Morgan County schools $45,450 and Decatur city schools $175,950;

Tuscumbia $99,404; Jacksonville $214,049; Sheffield $48,353; Phenix City $193,416; Elmore County $14,400; Florala $15,300; Athens $176,250; Marshall County $167,310; Jackson County $121,380.

The summary on current operation funds allocated by the federal government contained no city or county breakdown. But it reflected how the amount available for Alabama climbed steadily from $379,930 in 1951 to $4,099,094 last year.

Monroe County Schools To Operate Full Term, Superintendent Claims

MONROEVILLE (Special)—Monroe County schools will operate for a nine-month term again this year barring unexpected developments, R. H. Vickery, superintendent of education said.

"We are making plans to complete the full year again, though it appears at this point that we will have a deficit of approximitely $100,000 for the term," he said.

Superintendent Vickery pointed out that the prediction that the full nine-month term will be completed is based on the assumption that local taxes will come in as usual, and that the prorration figure for the State Minimum Program Fund will remain at approximately 9.4 per cent.

County taxes normally furnish $153,552 and the minimum program fund supplies approximately $900,000 to Monroe County schools each year.

LARGE SUMS

Vickery said the county has had to borrow comparatively large sums at the end of each school year for the past several years in order to meet its expenses, but that it has been able to repay these sums early in the following year. At present, he said, the school board has no indebtedness other than long-term debts incurred on various building projects.

Original plans were to expend $21,000 for new school buses, but this item has been deleted because of the shortage of funds, he said. New buses are badly needed in Monroe County.

One of the problems faced by this county is the threat of further proration of the minimum school program fund. The State Revenue Department reported that collections of various taxes earmarked for schools dropped 3.4 per cent in March from the same month a year ago. An increase of 5 per cent over last year's collections is necessary if the reduced state budget for education is to be met.

$155 MILLION

A total of $155 million dollars was originally appropriated by the legislature for education this year, but the 9.4 per cent proration ordered by Gov. Patterson last October because of reduction in expected revenues cut the figure back to $142 million.

In connection with the educational problem, a countywide legislative action committee composed of laymen of Monroe County recommended recently that a 1 per cent sales tax be levied throughout the county for educational purposes.

The group voted to ask Rep. R. L. Jones, of Monroeville, to introduce the proposal in the next legislative session with the provision that the citizens of the county would have the privilege of voting acceptance or rejection of the tax before it went into effect. A 1 per cent county sales tax would bring in an estimated $115,000 for schools.

Schools In Baldwin County Eligible For Federal Aid

FOLEY (Special)—Baldwin County schools will be entitled to about $100,000 under Public Law 874 (the Defense Impacted Area Act) and will get their full entitlement during the current fiscal year, following passage of a supplementary appropriations bill by the Senate.

The county schools are entitled to this federal money because there are about 1,500 students attending county schools who have a parent employed on a federal installation, such as the Reserve Fleet, Pensacola Naval Air Station, Brookley Field, Army Engineers, and Coast Guard.

For each student, the county schools are entitled to one half of $169 annually. If the parents lived on the federal project also, the amount would be the total of $169 for each child. The county school system must keep individual records on each student in order to be eligible for the federal money.

The Federal funds are used for maintenance and operation of the Baldwin County school system. Senator Lister Hill (D. Ala.) a ranking majority member of the Senate Appropriations Committee has expressed gratification over the passage of the supplemetary appropriations bill. Before passage of the bill, payments in 1961 had been limited to 85 per cent.

Opinion Vs. The Court

Dr. Gallup reports that 68% of the public would grant federal aid to all public schools irrespective of racial segregation and without an integration requirement. Only one person in four would withhold the money from segregated systems.

While Congress may heed this sentiment, popular opinion is not binding on the U.S. Supreme Court. It might disallow the use of federal funds for separate educational facilities.

The court has ruled that state money cannot lawfully be used to maintain segregation. How could it hold otherwise in the case of *federal* appropriations unless the law expressly renounces race-mixing as prerequisite for the dole?

Even this clause might not deter the court; it might rule that Congress has no more power than a state legislature to enact a provision which contravenes its interpretation of the 14th Amendment.

All of which leaves Southern congressmen in a quandary. Educators back home are hungry for the handout, school revenues have about reached the end of their tether in many states and Southern schools would be prime beneficiaries of the aid program. The risk, nevertheless, is plainly visible.

14d(1) 1961 ALABAMA GOVERNOR PATTERSON

Will close schools—

The B'ham News

Patterson repeats segregation pledge

Bham, Ala

Thurs 1/19/61

BY E. L. HOLLAND JR. News editorial page editor

Gov. John Patterson, in a highly important, detailed press conference in Montgomery Monday, used the backdrop of University of Georgia integration of Negroes Charlayne Hunter and Hamilton Holmes to spell out in as bold terms is he has to date what he would do if further integration efforts are begun at the University of Alabama.

The Tuscaloosa institution stands under an injunction by federal Judge H. Hobart Grooms to admit qualified Negroes. Autherine Lucy in 1956 won entry, was suspended days afterward for her own safety and that of others—a parallel to the Georgia situation—and in turn, as in the Athens case, was ordered readmitted.

Autherine Lucy never re-entered, howe since through Atty. Constance Baker Motley the NAACP she charged University author with virtual conspiracy in the riots which o curred. She was expelled and Judge Groom did not take judicial action against expulsion. Her case was closed.

Must make decision

IN HIS PRESS CONFERENCE Monday, Gov. Patterson was asked to comment about the Georgia situation. He said he didn't think he should, that Georgia's business was Georgia's business.

But he did say, "I certainly hope responsible Negroes (in Alabama) won't take the action such as in Georgia." Then the governor laid down a hard proposition for all Alabamians:

"I think we are in this position: I think we've got to make a decision in Alabama, every person in Alabama, whether he wants public schools worse than he wants to maintain the right to govern himself, the right to self-determination, the right to run his domestic affairs and handle his own school system."

The governor said flatly that as far as he was concerned he would close public schools in event of threatened forced integration and "go to private education."

"I AM OPPOSED TO integrating the University or any other public school in Alabama," he said. "I don't think we can operate one in Alabama without chaos and violence."

He underscored this by saying that he "would not agree under any circumstances to operate an integrated public school" and that "the governor of the state would have the right to take whatever action was necessary under his police powers to maintain law and order . . . I'm certainly not saying this trying to encourage it (violence). Far be it from that. I'm opposed to any violence and don't believe in it at all. But I don't believe we as public officials are doing our duty unless we speak frankly on these issues and tell the public what we think the true situation is."

Reemphasizing the right of self-determination, the governor said that "certainly the federal judiciary has taken it on itself to amend the Constitution in an illegal and unconstitutional manner. They're in here to try to cram this down the throats of the people of the South. Not only that, there is a provision in the 1960 Civil Rights Bill that makes a criminal offense and subjects you to a penitentiary sentence if you speak out in opposition to a court decree."

(The governor apparently referred to Title I of the 1960 Civil Rights Act which provides that anyone obstructing or interfering with any order issued by a federal court, or attempting to do so, may be fined up to $1000 and imprisoned up to one year, or both).

'Not constitutional'

THE GOVERNOR SAID this is "certainly not constitutional. Every citizen in this country, no matter who he is, has got a right to speak out against any decision or decree of any branch of the government, judiciary, legislative or executive."

He said everyone has a duty to speak out against anything he does not think legally right. And he added, "We're dealing here with judicial tyranny."

The governor was asked whether he would put the matter of keeping schools open, and integrated, or closing them, to a referendum. He said at first only that he would use his powers to keep schools segregated, but then he picked up the challenge and added:

"I believe in fighting right down to the last ditch. I want to commend Gov. Faubus and Jimmy Davis for the fight they're making and I'll be right in there with them. I don't intend to back up one inch."

BUT HE ADDED THAT, on a referendum, "if the Legislature wants to enact legislation calling for a vote, that's all right with me because I have no doubt how people of the state would vote."

And the governor said, of Jimmy Davis and Faubus, "They didn't abandon the fight at the very first occasion." A reporter promptly inquired, pointedly, whether the governor had mentioned Gov. Vandiver of Georgia in connection with the "abandon the fight" comment. Patterson replied with some dryness, "No, I didn't mention Vandiver."

The governor was asked whether he thought token integration was inevitable. His reply: "No, I don't think so. I think we can win out in this fight if we stick together. That means, of course, the educators and public officials as well. No, I don't think it's inevitable at all."

Then the governor went on to show how he views the entire integration effort: "I think the agitators who're seeking integration in our schools are seeking far more than that. That's just a first step. What they want is to eliminate our race, as a white race. They want complete amalgamation of the races. They want integration in everything. They want to integrate the jobs. They want it so every employer in town has got to hire a certain percentage of Negroes."

Only initial steps

THE GOVERNOR BELIEVES, obviously, that school integration efforts are only first steps in a massive integration campaign in this nation. "There's no end to this thing," he said. "If we give in now, why then that's just another step in that direction.

"If we give in now and say all right, now, we'll have a little token integration, if you think for one minute that's going to keep them off of us then you're mistaken. They'll be right back the next day wanting full integration and integration of everything else."

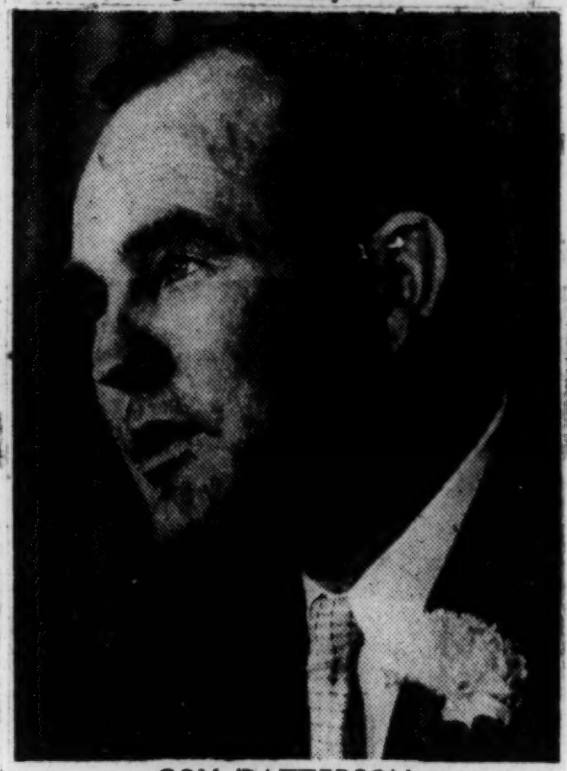
When he was asked if he had any idea how much a private school system would cost, the governor was candid, saying he didn't.

Then a reporter asked the governor, since Virginia, Arkansas, Louisiana, Tennessee "and now Georgia" had yielded, "what is it we've got in Alabama that we can win where they didn't?"

PATTERSON RESPONDED that we must stick together and "fight this thing to the bitter end," and he put the proposition up to the people firmly: "I think we've got to decide what's more important to us, to have a public school system or to be able to govern ourselves. Which is more important . . . to go ahead and integrate so we'll have good business and the people will make money? Is that more important? Or is it important that we maintain the right of self-determination in Alabama, the right to be able to stand up and object and speak out against things we don't like?"

This is, perhaps, the crux of the matter which, indeed, will some day be before Alabamians, just as during the past two weeks it has been before Georgians.

"You see the FBI agents are on the campus of the University of Georgia," the governor said, "trying to make cases against students who spoke out in opposition to the court decision. Every citizen has the right to speak out . . . We can call together our neighbors and assemble and petition our government for grievances . . . In the segregation field, they've created some laws that are going to live to haunt them. What they consider today as instruments of good will turn out to be instruments of evil. And one of these days it will work a clean circle on them and will be used against the very folks that are trying to use them against us today."



GOV. PATTERSON
. . . Puts the question

Hopes to avoid split

A REPORTER ASKED the governor whether he thought the fact that Louisiana "surrendered" was caused by school officials, to which he replied: "I'm hopeful that we'll have no split in our ranks here in Alabama," but acknowledged that a big factor in Louisiana was the school board's opposition to the Legislature.

The governor acknowledged that at present he has no power to close schools except under police powers and repeatedly emphasized that integrated schools could not be operated in this state without violence.

(In this connection it is interesting to note that Judge William A. Bootle of Georgia ruled that "the court does not find and does not conclude that law and order in this state have broken down," in the Athens case, "or that the law enforcement agencies of this state are inadequate to maintain law and order at the university." Judge Bootle cited Lucy v. Adams. In February 1956, Judge Grooms of Birmingham had, in fact, ruled that he did not "conclude that law and order in this state have broken down." The question becomes pertinent, what might a federal court again rule in Alabama if a governor judged that violence was unavoidable and

in effect that order could not be maintained, Ga., officials as well as the governor had pledged hence closing the schools. The police power, by in addition to what he considers an inherent the governor's own word, is now his lone weapon. police power. He noted that the Legislature (It is important to note, also, that in the didn't pass a law to that effect in the last ses- Georgia case, Judge Bootle took full judicial sion and said he would again ask for passage. notice of the fact that Athens and Clarke County, (Some legislators felt such a law would risk GOV. PATTERSON REITERATED that he the federal courts ruling that, if under such to close schools thought he should have the power

power a governor closed a given school, he must close all schools in the state subject to such possible closing by executive fiat.)

Hammering again at what he clearly believes is the fundamental issue, toward the end of his press conference Gov. Patterson said: "I think we've reached the crossroads in this fight, where we've got to make up our minds whether we'll live under the yoke of federal judiciary or whether or not we're going to be able to continue to govern ourselves and handle our own local and domestic affairs. That decision for me is not hard."

Then the governor raised a question for himself and perhaps all Alabamians: "Is there any evidence that there would be violence at the University if it were integrated? Ample evidence. The Autherine Lucy case. Do you think it would happen again? It most assuredly would happen again. And for anybody to say I shouldn't talk that way is trying to stick your head in the sand like an ostrich."

'Must speak frankly'

"WE MUST LOOK AT things as they are" Patterson said, "and speak frankly about these things, and be honest about them. That's the way I feel and I believe I have a duty to make my views known in the matter."

The governor thus, and at length, spelled out the condition as he sees it at present, and for what could be a very foreseeable future. His is an apparent desire to resist, whatever the cost. He candidly invites, indeed, charges, Alabamians now to come to their own decision. For he said, during this critical press conference in which he spoke with absolute candor from every indication, "the governor's power is commensurate with the backing of the people. You've got to have more than a majority of the people of the state supporting the governor's policies in order to succeed in anything."

A question has been gnawing, very probably, at some Alabamians — whether in the pinch, a John Patterson might do as did Georgia's once bitterly resisting Gov. Vandiver. The answer to date seems to be "no."

Georgians, however reluctantly, seem to be following the course of their governor in his yielding.

If Patterson is prepared to close Alabama schools, the question becomes: Are Alabamians prepared, at whatever cost, to back him?

The answer may be needed sooner than many think. Some answer is inescapable.

14d(1) 1961 ALABAMA AUGUST

LeCroy Hits Funds Lack For Schools

State Official Says Youth Faces Education Decline

The quality of education available to Alabama youngsters will be drastically reduced unless the legislature decides to come up with more money, State Superintendent of Education W. A. LeCroy said Saturday.

The House Ways and Means Committee has approved a school budget calling for only a slight increase over the $133 million expected to be spent at the end of this fiscal year.

The bill, which is ready for possible House passage next Friday, calls for $137.9 million for the fiscal year starting Oct. 1 and $148 million for the following 12 months.

"This appropriation measure places many boards of education in an impossible financial situation unless there is a drastic reduction in teacher units, or in teachers' salaries, or in the length of the school term or some combination of the three," LeCroy said.

RURAL COUNTIES

He said this would be particularly true in some 50-odd rural counties.

"In either event, the quality of education available to the boys and girls of Alabama will be drastically reduced," he said. "This Alabama cannot afford at this critical period in our history."

The Alabama Education Association, through its board of trustees, also spoke out on the governor and the legislature to take firm and prompt action to help education during the remaining six days of the legislative session.

INCREASE ASKED

The AEA group called on Gov. John Patterson and the legislature to increase the appropriations for education, to enact revenue measures to pay for the increased appropriations in full, to provide adequately for the full collection of all taxes due in the next two years, and to provide that education will receive the full benefits of all tax collections during the ensuing biennium by enacting conditional appropriations which will, in effect, prorate any possible accumulating surpluses as additions to fixed appropriations.

The school budget now before the legislature is written in line with expected tax income and follows Patterson's recommendations almost to the penny. But it is almost $100 million less than school leaders requested for the two-year period.

Included in the school money measure is a conditional $5 million for each year to be appropriated if tax collections surpass the amount earmarked for educations.

Choctaw County May Delay School Opening

BUTLER (AP) — Supt. Wiley C. Allen of the Choctaw County school system says schools in the county will be two weeks—possibly a month—late in opening this fall.

He blamed the lack of money for delaying the school opening until at least Sept. 15. Schools were scheduled to open Sept. 1.

Allen said county teachers, who are paid on a 12-month basis, have been paid for only half of July and won't get more money until the state appropriation becomes available. That probably will be at the start of the next fiscal year on Oct. 1.

150 Teachers Stage Walkout In Colbert; Demand Full Salary

Assurance Of 9-Month Term Asked

FLORENCE (AP) — Some 150 Colbert County school teachers concluded the first day of the fall term Monday and then voted not to return to work until they are assured of a nine-month contract without a reduction in salary.

The vote, taken at a meeting of the Colbert County Teachers Association, was 103-20. The action came about five hours after schools opened.

County School Supt. David Brown estimated that 5,000 students will be affected. The county has two high schools and 18 elementary and junior high schools.

The county system, like many others in the state, is having financial difficulties because of proration—reduction of state money due to lagging revenues.

UNANIMOUS VOTE

The teachers, meeting at a rural junior high school, voted unanimously to ask the county school board to delay the opening of the fall term until they are assured their demands will be met.

Teachers of Negro schools in the county have not taken any action.

Brown, who attended the teachers' meeting, told the group proration might go as high as 15 per cent during the 1961-62 school year.

He said the county school board could not promise to make up any deficit that accumulates because of a lack of state money.

BORROWED $165,000

Brown said the county system borrowed $165,000 to pay teachers their full salaries during the year now ending.

He said the system would be $75,00 in debt on Oct. 1.—the start of the next fiscal year.

Dan Hand, president of the Alabama Educational Association and a principal in the Colbert County system, told the group he felt it was time for the teachers to take a stand "and be willing to put their heads on the chopping block."

Brown noted that many of the county's students ride buses to school and said he would notify transportation supervisor Arlie Kidd not to send out the buses Tuesday.

Enabling legislation was passed about two years ago to permit Colbert County to vote on a 5 mill ad valorem tax increase which could go for school purposes. The issue was voted down at that time but school officials said it could be put to a further vote without further legislative action.

Henry Cheney, a member of the county board of education, said the board had discussed bringing up the ad valorem tax again next spring.

Alabama Schools Looking To State

But Chances For Financial Aid Appear Slim

MONTGOMERY, Ala., Aug. 27.—(UPI) — Alabama's public school systems, faced with financial cramp for the next two years unless more money is provided, are looking to the state's legislators to authorize school taxes.

However, with only four legislative days of the 1961 session left, chances of a statewide tax increase bill coming from committee and passing both chambers appear to be small.

The only alternative to a statewide tax would be a series of local bills authorizing increased taxes for educational purposes. Several such measures are pending — but not enough to put education back on its feet.

State School Supt. W. A. LeCroy already has warned the multi-million dollar school appropriation measure passed by the House is insufficient to meet demands of education.

He said unless the 137.9 million dollars for the fiscal year beginning in October, and the 148 million dollars for the next year were increased:

The standard of education available to Alabama's children will be radically reduced.

Up to 50 city and county systems will end before the usual nine-months term is completed.

More teachers will leave the state for better-paying jobs elsewhere, or quit teaching for industry.

Across the state the struggle between teachers and the school education boards continues unchecked. In several counties the teachers have voted not to return to school this year unless they have a guaranteed pay contract, or nine-months full work.

The school boards, faced with the realization more money must be found, have cut teaching staffs to a minimum, reduced school facilities and levied fees on students.

The attorney general's office here confirmed collection of "reasonable" fees is legal and a student may be denied admission to school unless the enrollment fee is paid.

However, the office said, once enrolled the student cannot be expelled or have his report card withheld because of non-payment.

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ALABAMA

Lowndes, Choctaw County Schools Sparring With Monev Problems

The Montgomery Advertiser

Two more Alabama school systems were in money trouble Thursday.

The Lowndes County Board of Education met this week and voted unanimously to postpone the opening of all county schools for two weeks.

The Choctaw County Boarl of Education issued statement that it is unable to set a definite date for the opening of schools.

The Lowndes action was taken because of the shortage of revenue and the uncertainty of school finances for the coming year, the board said.

There is an indebtedness in short term loans in the amount of $102,000 and as yet the teachers of the county have not been paid for June.

Lowndes schools originally were scheduled to open Sept. 4. The Choctaw Board of Education issued the following statement:

"The Board of Education is unable to set a definite date for county schools to open at this time, because the appropriation has not been made by the legislature for the 1961-62 school term. The State Department of Education has been unable to notify this board the number of teachers who can be employed with state funds. Approximately 90 per cent of school funds for this county come from the state."

The Choctaw board also is requesting permission from the State Board of Education to allow the county schools to operate only as long as funds are available for this term.

County educators back school tax

The Birmingham News

BY HUGH W. SPARROW, News staff writer

Jefferson's legislators had under consideration today a request—backed by all six Jefferson County school systems—to pass a proposed amendment to the Constitution opening the way to increasing the tax rate on property for the benefit of schools.

If the amendment is ratified by Alabama voters, then the people of Jefferson would decide in a special election shortly thereafter whether they favor increasing the tax rate up to 5 mills, or 50 cents per $100, on property.

Furthermore, if the tax increase is approved b ysome of theh districts and rejected by thers, the levy would become effectve in the districts which approved. The bill also provides that districts rejecting the tax boost woul dhave the opportunity of resubmitting the question in the future.

If all districts approve, up to $5 mililon a year would be forthcoming from Jefferson County property owners. Taxes collected in the various districts would remain in the respective districts.

THE PROPOSAL was laid before the legislative delegation last night by Kermit A. Johnson, superintendent of Jefferson County schools, and was supported by Theodore Wright, superintendent of Birmingham schools, William N. Eddins, superintendent of the Mountain Brook shcools, and various others.

"As each member of the Legislature knows," Dr. Johnson's statement to the delegation said, "state school funds have been proroated for the past four years. There is not too much evidence that additional funds will be provided at the state level by this Legislature, and the bill for federal aid appears to have been killed for this session.

"Therefore, Jefferson County cannot look to the state nor to the federal government for aid in the immediate future. Unless some provisio nis made for additional local financial support our school systems are faced with a critical financial crisis withi nthe near future.

"Enrollment in the county schools is increasing by approximately 1500 students each year. This demands additiona lclassrooms, teachers, maintenance and operating money.

'We believe that this amendment should be approved by the Legislature at the arliest possible moment in order to give the people of Jefferson County the privilege of providing more financial aid at the local level for its shcools. The amendment would not levy an additional tax unless at a alter date an election was reld and a majority voted at that time for the tax."

DR. JOHNSON was questioned closely as to all details of the proposal. Dr. oJhnson who esimated that the tax rate boost proopsed would mean $5 million a year in additional money for schools, provided all districts approve.

Much of the money, he said, would go for capital outlay and for much needed new and safer buses. Dr. Johnson said he could not say whther any of the additional money would go for teacher salaries.

Robert Ellis, chairman of the Citizens Advisory Committee for Better Schools, said ratification of the amndment and local approval "would be a great step forward for education in this county."

DR. WRIGHT TOLD the delegation that city schools have suffered extensively because of repeated proration of funds year after year the last four years. He said the latest reduction had forced the city system to release about 90 teachers and curtail activities.

"After all," he said, "this i only a permissive proposal, something that the people themselves can accept or reject."

"I'd certainly like to see the Legislature pass this bill," declared Raymond Rowell, a school patron.

DR. EDDINS said "this means much, indeed, for the thousands of school children within Jefferson County."

Dr. E. C. Overton, optometrist and member of the Advisory Commission, asid a $25,000 home, on the basis of present assessment levels, would pay about $31 a year more if the tax increase is applied. That, he said, is a small price for parents to pay when a good education for their children is so much needed.

Dr. Polly Ayers, dentist and member of the Advisory Council for Better Schools, declared the bill is "a very reasonable measure. It allows the people to vote taxes on themselves."

Several other school patrons, including Charles Robertson member of the Council of the Edgewood Schools, appeared before the delegation in support of the amendment.

Selma Schools To Open For New Year Sept. 5

The Montgomery Advertiser

By ELIZABETH COLEMAN
Advertiser Correspondent

SELMA (Special) — On Sept. 5 the city schools in Selma will open their doors to begin another school year, some for the first time and others with many improvements and additions. There will be an overall increase in enrollment of about 200, marking a total of 7,000 of Selma's junior citizens. who will march to the tune of the old school bell into another year of school, according to City Superintendent of Schools J. A. Pickard.

One of Selma's newest schools, Meadowview Elementary School, will open its dporg for the first time. The school, built at a cost of $199,000, has 12 classrooms and a cafeteria.

With the busy building and renovation program which has been going on at a fast pace during the summer, nearly all of the white and Negro schools have undergone some form of improvement.

Edgewood Elementary School, which was built about five years ago, has added four new classrooms at a cost of $67,000, bringing the total number of classrooms to 18.

Albert G. Parrish High School has added two rooms to its large number, at a cost of $21,000.

Among the Negro schools, there will be one totally new school, the new East End School, composed of 10 classrooms and a cafeteria, built at a cost of $167,000. There is a new addition of four classrooms at a cost of $48,000, to the new Knox School, bringing a total of 16 rooms to this school.

Another of the major projects in the building and renovation program is the renovation of the Green Street building of the Clark Negro school, at a cost of $6,000. This building consists of six classrooms, a library and the principal's office.

New furniture has been bought for the new schools and the additions, with the exception of the Clark school, according to Pickard.

Also, Pickard stated that there will be between 25-30 new teachers this year, although, he added, "we will lose three teachers, two from the white schools and one from the Negro."

As to our financial condition Pickard said "We will have an operating deficit of between 35 and 40 thousand dollars, which will be paid from reserves which have been set aside for building."

School Board Okays Short '61-62 Terms

State Supt. of Education W. A. LeCroy told city and county school superintendents Friday that the state board has approved a proposal to allow school systems short on funds to operate less than the regular nine months without penalty.

The resolution, proposed by the Alabama Education Association, proposes to give the state board authority to grant suspension of local school terms.

It would be the responsibility of the state board to determine the conditions of a system requesting a reduced term and make allowances for the shorter term without penalty or loss of state funds.

MUST BE CLEARED

But the permission for the board to grant suspensions must be cleared by the legislature. At present, appropriations are made on a strict nine-month basis.

LeCroy warned that if some school systems are forced to operate on a full nine-month basis, it may be necessary to cut teachers' salaries to make up the difference.

He said that the present appropriation bill now pending in the legislature is some $11 million short of the "break-even point."

Fund Cut Off Perils Alabama Schools

MONTGOMERY, Ala. (AP)—The threatened cut-off of Alabama state funds in the absence of a legislative appropriation took on a more ominous note Monday and left a question mark over the allocation of school money.

Unless Gov. John Patterson calls a special session or finds another solution, no state agency except the education department will have operating funds after the close of the current fiscal year Sept. 30.

The Legislature, deadlocked by a Senate filibuster, adjourned the 1961 regular session early last Saturday without passing a general appropriations bill.

One member of the Senate, Bob Kendall of Conecuh County, telegraphed an urgent appeal to the governor Monday to call an emergency session to appropriate the money before the new fiscal year starts.

Patterson was not available for comment.

Funds for the schools were allocated in a separate appropriation measure which barely squeaked through in the closing hours of the session, but budget experts wondered whether they can be paid.

They pointed out that the absence of a general appropriation bill to finance other functions of the government will leave the Revenue department, the treasurer's office, the comptroller and the budget office, among others, without operating funds.

If those departments cannot function, the budget advisers asked, who will collect the taxes checks? Who will approve the allocations?

The same reasoning was applied to some agencies like the Highway department, which live out of their own revenues and are not covered by the general appropriation bill. Who would issue checks for highway department employes?

Patterson, in a statement issued shortly after the Legislature adjourned in a flurry of filibustering and a fist fight, promised to "see that the funds are for education? Who will issue the provided and the state continues to operate."

But he did not say how he proposes to do it. The state constitution says no money can be spent unless it is appropriated by the Legislature.

The governor is expected first to ask the state Supreme Court for an advisory ruling to determine whether the executive and judicial departments can supervise the spending, or whether this year's appropriations remain in effect.

Schools Open Wednesday

GENEVA (Special) — Geneva schools will open Wednesday for registration, Principal H. N. Hawkins announced.

School holidays during 1961-62 will be Thanksgiving, Nov. 23 and 24; Christmas, Dec. 22 through January 2; spring Holidays, week of March 12.

Teacher's county institute will be held Tuesday.

Hawkins announced the following faculty for the Geneva schools: Roy Parker Roberson, DO and DE; Billy Joseph Ricketts, head coach and social studies; Tommy N. Johnson, assistant coach, economics; Bernie Raines, math and PE; Joseph Lafayette Parish, vocational agriculture; Elizabeth Dees Parish, home economics; Annette Gunter Redmon, English; Boyce Garrett Brown, science and math; Glen Bill Phippips, business law, math, social studies; Carolyn Sellers, math; Sarah Coulliette, science.

Thomas Coulliette, English and social studies; Polly Rea, commercial; Mytrle Ausley, English and social studies; William Eugene Granger, band; Daisy Fuller Patterson, English, social studies.

Vola M. Morris, civics, world history; Mary F. Skipper, French, English; Hazel C. Roach, librarian; Elizabeth Bowdoin, science; Bonnie Cross, girl's PE.

Sixth grade, Lonelle Phelps Rebecca Campbell, Johnnie Broxson; Fifth grade, Claudie Lou Martin, Lorene Smith, Josie A. Brooks; Fourth grade, Mary Dell Ard, Mary M. Ward, Lorene Harrelson Richards; Third grade, Meredith Bullock, Jeanette Hollon Broxson, and Wilkie B. Redmon; Second grade, Mary Lois Thompson, Laura Mae Sellers, and Gaynell Woodham; Malzie Burch, Madie Ree Seay, and Ruby Lora Perdue.

Mrs. Merle W. Purvis will teach the exceptional class.

Butler Schools Set Opening Date Monday

GREENVILLE (Special) — Schools of Butler County will open the 1961-62 session Monday morning. Enrollment is expected to be greater than it was on opening day last year.

The three high schools in Butler County will collect a matriculation fee of $5 per pupil per semester. This money will be used in the purchase of janitors' supplies, electricity and for the rent on telephones.

A new junior high school building costing about $80,000 will be used for the first time at the Greenville school. A gymnasium and other facilities have been added to the McKenzie High School and additional classrooms and other facilities have been added to the Georgiana High School.

A large, modern and attractive elementary school has been added to the Greenville colored school.

The teachers in the Greenville elementary schools have been assigned their rooms and pupils.

Teacher Vote Opens Perry School Net

MARION (Special) — Perry County public schools opened on schedule Tuesday, thanks to a nine-to-one vote by county teachers in spite of their uncertainty over salary and contract terms.

An AEA-backed proposition that teachers not meet classes until assured of contract provisions was voted down Wednesday night at a special meeting of the County Teachers' Association. Approval was a motion to teach one month at the same 8 per cent cut as last year, and to hold another special meeting if new contracts call for increased cuts.

Credit for the vote to open Sept. 5 went largely to the local revenue bill sponsored by Perry County parents last spring and now before Gov. Patterson for his signature. This provides a sales tax and bottle tax expected to raise about $65,000 for county schools. The local measures go into effect Oct. 1.

PAY INTEREST

County Education Superintendent L. G. Walker explained that state funds are short partly because over $7,000,000 of the education appropriation must be used to retire principal and pay interest on the $100,000,000 bond issue for school construction in Alabama.

Perry's share of this includes a new gymnasium at the Uniontown High School. Contract for the gym was let Wednesday to C. W. Williams, Marion contractor, whose low bid was $99,999.

Also included in the state building program is a new high school in Marion, to be begun as soon as a site is agreed upon.

A $10 tuition fee was charged each Perry County student in the seventh grade and above last fall. This money was used toward retiring a two-year-old indebtedness and not for teachers' salaries, pointed out Mrs. T. A. Peters, president of the County Teachers' Association.

"Many people are not aware that teachers took a cut last year," she said. "The state legislature voted a 15 per cent increase for 1958 and scheduled a 5 per cent increase for the following year. However, teachers actually received less than 15 per cent in 1958 and the 5 per cent increase never came. In 1960 teachers took an 8 per cent cut."

Commented one faculty member, "I could do a better job teaching with a chalkboard and books, and enough to live on, than not enough money but new buildings."

ALABAMA FACES FINANCE TANGLE

Question Mark Over Allocation to Schools

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EXTRA SESSION ASKED

One member of the Senate, Bob Kendall of Conecuh county, telegraphed an urgent appeal to the governor Monday to call an emergency session to appropriate the money before the new fiscal year starts.

Patterson was not available for comment.

Funds for the schools were allocated in a separate appropriation measure which barely squeaked through in the closing hours of the session, but budget experts wondered whether they can be paid.

They pointed out that the absence of a general appropriation bill to finance other functions of the government will leave the revenue department, the treasurer's office, the comptroller and the budget office, among others, without operating funds.

If those departments cannot function, the budget advisers asked, who will collect the taxes for education? Who will issue the checks? Who will approve the allocations?

MAY ASK COURT

The same reasoning was applied to some agencies like the highway department which live out of their own revenues and are not covered by the general appropriations bill. Who would issue checks for highway department employes?

Patterson, in a statement issued shortly after the legislature adjourned in a flurry of filibustering and a fist fight, promised to "see that the funds and provided and the state continues to operate."

But he did not say how he proposes to do it. The state constitution says no money can be spent unless it is appropriated by the legislature.

The governor is expected first to ask the state supreme court for an advisory ruling to determine whether the executive and judicial departments can supervise the spending, or whether this year's appropriations remain in effect.

If no solution is found, he will almost certainly have to call the legislature back.

School Opening Held In Jungle Of Uncertainty

The Montgomery Advertiser

Sun. 9-3-61

By THE ASSOCIATED PRESS

The fall opening of public schools—normally as sure as taxes—is a jungle of uncertainty this year with many systems in Alabama caught in financial straits by short money supplies.

Some school systems are looking to more local taxes for help, others are charging tuition.

Several systems have postponed the opening of schools to allow time to make financial arrangements. Opening of other systems has been stopped by a strike of teachers.

State Supt. of Education W. A. Lecroy has estimated that 50 school systems in Alabama will not finish the school year because of financial problems.

There are no generally known plans to try to integrate public schools in the state this year.

★ ★ ★ ★ ★

A suit is pending in Birmingham to force city officials to do away with the separate school systems. An integration spokesman said the legal matter should be settled before an attempt is made to integrate schools. Schools in Birmingham and Jefferson County are to open this week on schedule.

★ ★ ★ ★ ★

There have been no outward signs of integration attempts at Montgomery when schools open Thursday.

Marion County teachers were the latest to strike. With no salary for the last two months, the teachers voted Friday not to teach until all back salaries are paid. The schools were scheduled to open Monday.

Marion County School Supt. Solon Gregg told the teachers it would be hard to meet the payroll until state funds are available Oct. 1. The alternatives, he said is to borrow $30,000 and the system is $140,000 in debt.

★ ★ ★ ★ ★

White teachers in Colbert County opened schools last Monday, they voted that afternoon to strike unil they get contracts assuring them of no pay cuts.

★ ★ ★ ★ ★

Negro teachers in the county system joined them later in the week. About 7,500 students are affected.

The Colbert School Board suggested a tuition system to get the schools open again but parents indicated they were against it.

Thursday, teachers in Lauderdale County, across the Tennessee River from Colbert in Northwest Alabama, also struck until they get contracts with no reduction in salary.

Pike County schools opened last week after a tuition system was put into effect. High school students are assessed a $9 fee and elementary students pay $4.50

Members of the Marengo County teachers association voted Saturday to defer the opening of schools until the county board of education can assure them a full month's salary based on last year's schedule.

Marengo County Superintendent of Education Fred D. Ramsey called the action premature. He said teachers have been paid in full and on time.

Teachers in the Anniston city school system balked at starting another year until they were assured of nine months of work and a 10 per cent increase in salary next school year. The city commission promised a full nine-month school term and efforts to adjust the city's tax structure to provide a pay raise next year. Schools in Anniston are scheduled to open Tuesday.

The Pickens County Board of Education approved a tuition fee to help meet operating costs. The board set the fee at $10 for high school students and $5 for elementary students.

The opening of Choctaw County schools, planned last Friday, was delayed for at least two weeks. County School Supt. Wiley C. Gallen said the schools won't open until the state appropriation is available.

That will be Oct. 1—The start of the new fiscal year.

Proration—an across the board cut in state money—is the cause of most of the money troubles for schools.

It has taken a slice out of Alabama school funds in several recent years. But this year the slice is bigger. Estimates are that when the books close Sept. 30, the end of the fiscal year, the cut will be about 13.6 per cent.

The just-adjourned legislature appropriated $137.9 million for school operation for the coming fiscal year. That's about $4 million above last year's figure but Lecroy said it is more than $11 million short of the "break even" figure.

Teachers in the Fayette County system voted not to teach this fall until they were assured of the same salary they got last year.

P. W. Colburn, Fayette County superintendent of Education, told them they would get the same salary as long as the money held out. Then the schools will close, he said. The schools opened on schedule Aug. 28.

Schools in Elmore County are to open Monday after a week's delay. School officials had put off the opening to await the fate of a bill permitting a one-center county sales tax. The bill passed the legislature last week.

The board of education in Tallapoosa County said it would ask county commissioners to call an election Sept. 26 to ballot on additional ad valorem taxes for school purposes.

A $10 per year fee per student has been levied in Bibb County.

Junior High's Integrate

Miami Herald
C-12-A Sun 9-3-61

Little Rock Calm on Mixing As New School Term Begins

Miami Fla

LITTLE ROCK — (AP) — Little Rock extends integration below the high school level for the first time Tuesday. No trouble is expected in the city where desegregation once brought rioting.

Twenty - four Negroes will enter four of Little Rock's five white junior high schools. Twenty - four Negroes also will attend three once-white high schools, one for the first time.

Police Chief R. E. Glasscock said officers will be on hand but he looks for no demonstrations.

Schools have operated peacefully with integration at two high schools — Hall and Central — since 1959. There was a brief clash between police and segregationists then when high schools were reopened after Gov. Orval E. Faubus had shut them for a year against integration.

In 1957, Faubus used National Guardsmen to block the first entrance of Negroes into Central. Federal troops enforced the court-ordered integration after rioting erupted.

For Central and Hall, Tuesday will begin a third straight year of integration. Central will have 13 Negroes, Hall six. For 150 - student Technical High, Tuesday is desegregation day, with five Negroes due to enroll.

West Side Junior High School, just four blocks from Central, will have 12 Negro students. East Side, a few blocks east, will have nine. Forest Heights will have one Negro, Southwest two. Those schools are in newer residential areas.

Negro attorneys have attacked the school board's desegregation plans in Federal Court, claiming not enough Negroes were placed in integrated schools. The board has pleaded for continuance of its transitional program.

No decision is expected until after school opens.

For the first time the Justice Department has initiated a suit challenging the constitutionality of a state law requiring segregation of bus terminal facilities.

If upheld, it could resolve the conflict between the laws of some Southern states and desegregation instructions issued by bus companies in compliance with interstate regulations.

QUIET EXPECTED AT LITTLE ROCK

Kansas City Star
C-2 Sun 9-3-61

First Elementary School Integration Tuesday

By BOB HARING

LITTLE ROCK, Ark. (AP)—Little Rock extends integration below the high school level for the first time Tuesday. No trouble was expected in the city where desegregation once brought rioting.

Twenty-four Negroes will enter four of Little Rock's five white junior high schools. Twenty-four Negroes also will attend three once-white high schools, one for the first time.

Police Chief R. E. Glasscock said officers would be on hand. However, he doesn't expect any demonstrations.

Schools have operated peacefully with integration at two high schools—Hall and Central—since 1959. There was a brief clash between police and segregationists then when high schools were reopened after Gov. Orval E. Faubus had shut them for a year against integration.

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Negro attorneys have attacked the school board's desegregation plans in federal court, claiming not enough Negroes were placed in integrated schools. The board has pleaded for continuance of its transitional program.

No decision was expected until after school opens.

Junior Highs Desegregate In Little Rock

Wall St Journal
Sun 9-3-61

LITTLE ROCK, Ark., Sept. 2 (AP) — Little Rock extends integration below the high school level for the first time Tuesday. No trouble is expected in the city where desegregation once brought rioting.

Twenty-four Negroes will enter four of Little Rock's five white junior high schools. Twenty-four Negroes also will attend three once-white high schools, one for the first time.

Police Chief R. E. Glasscock said officers will be on hand but he looks for no demonstrations.

Atlanta, Ga

SCHOOLS have operated peacefully with integration at two high schools — Hall and Central — since 1959. There was a brief clash between police and segregationists then when high schools were reopened after Gov. Orval E. Faubus had shut them for a year against integration.

In 1957, Faubus used National Guardsmen to block the first entrance of Negroes into Central. Federal troops enforced the court-ordered integration after rioting erupted.

For Central and Hall, Tuesday will begin a third straight year of integration. Central will have 13 Negroes, Hall 6. For 150-student Technical High, Tuesday is desegregation day, with five Negroes due to enroll.

* * *

WEST SIDE Junior High School, just four blocks from Central, will have 12 Negro students, East Side, a few blocks east, will have nine. Forest Heights will have one Negro, Southwest two. Those schools are in newer residential areas.

Negro attorneys have attacked the school board's desegregation plans in federal court, claiming not enough Negroes were placed in integrated schools. The board has pleaded for continuance of its transitional program.

No decision is expected until after school opens.

Little Rock Advertiser Integrates Lower Grades

P-18C

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Sun 9-3-61

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Schools have operated peacefully with integration at two high schools—Hall and Central—since 1959. There was a brief clash between police and segregationists then when high schools were reopened after Gov. Orval E. Faubus had shut them for a year against integration.

Montgomery, Ala

USED GUARD

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PLAN ATTACKED

Negro attorneys have attacked the school board's desegregation plans in federal court, claiming not enough Negroes were placed in integrated schools. The board has pleaded for continuance of its transitional program.

No decision was expected until after school opens.

In Little Rock

School Integration Speed-Up Ordered

ST. LOUIS, March 2 (AP)—Without setting a time table, the Eighth U. S. Circuit Court of Appeals today ordered the Little Rock, Ark. School Board to speed up desegregation of the city's schools.

The court conceded the school board members were public spirited citizens working under adverse conditions. But it found the board, in deciding on school assignments for Negroes, "was motivated and governed by racial considerations."

The court ruled procedures used in making such assignments "were clearly in violation of the constitutional rights of (Negro) plaintiffs."

The court ordered no change in the board's basic plan for integration in three phases, starting with the senior high schols, then the junior highs and finally at the elementary level. But it noted the first phase still had not been completed whereas the plan called for integration to be completed not later than 1963.

The board was directed to apply the Arkansas pupil placement law objectively and "without discrimination based on race or color."

The appeals court thus upheld arguments by attorneys for 14 Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

The appellate court reversed a Sept. 2 ruling by Federal Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The high court directed Judge Miller to retain jurisdiction, which Miller rejected in his September decision.

The Appeals Court said the previous failure of the Little Rock School Board to make progress toward desegregation might be justified. It cited the 1957-58 school year when Central High at Little Rock operated under supervision of Federal troops and the fact the schools were completely closed during 1958-59.

"However," the court said, "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."

Discrimination Seen In Tests For Transfers

LITTLE ROCK — (ANP) — Negro attorneys said last week that the Dollarway School Board's desegregation plan means that a Negro child will have to pass "three tests" in order to attend the Dollarway School:

1. His parents will have to tender him to the Dollarway School for registration in order to indicate their preference.

2. He will have to score a high mark on tests to be administered.

3. He will have to pass the pupil assignment test.

THE ATTORNEYS, George Howard Jr. of Pine Bluff and Robert L. Carter of New York, contended that the plan was unfair to Negro students. They said that a white child who wants to attend the Dollarway school "has no test to pass."

The statements were contained in the attorney's reply to the School Board's additional report on its desegregation plan. The reply was filed in Federal District Court here.

Prepare For Further Desegregation Little Rock Ministers Tell City Groups

LITTLE ROCK (ANP) — The Greater Little Rock Ministerial Association last week asked the Little Rock School Board and business, civic and religious leaders to start to work preparing the community for the increased racial desegregation required by the courts.

The Association's request was in a resolution passed by a vote of 50-1.

A few minutes before the vote, Russell H. Matson Jr, vice president of the School Board, told the Association that he thought the Board had been "remiss" in its preparation of teachers and students for the changes brought by desegregation in Central and Hall High Schools.

The resolution first asks the ministers themselves to "seek to prepare the members of their congregations."

Then it urges:

"2. The School Board to seek to prepare the teachers and students. Matson's workshop idea at the moment does not include students).

"3. The PTA to seek to prepare school patrons, and

"4 The Chamber of Commerce and the civic clubs to seek to prepar the business and professional community.

LITTLE ROCK CLERICS ACT ON INTEGRATION

Special to The New York Times.

LITTLE ROCK, April 8—The Ministerial Association here has offered to help the Little Rock School Board prepare the city's people for an extension of integration in the public schools.

The association approved by a 50-to-1 vote a resolution urging that the people be prepared for broadening of integration in the high schools and for the introduction of it to the junior highs and elementary schools.

The association noted that the Eighth Circuit United States Court of Appeals on March 1 had ordered the school board to take affirmative steps to end racial descrimination in the schools. Little Rock now has eleven Negro students in two formerly all-white high schools. The Federal court said it was time for the school board to achieve more than token integration.

The association said it would take the responsibility for preparing members of church congregations. It said the school board should prepare the teachers and students, the Parent-Teacher Association should prepare the school patrons and the Chamber of Commerce and civic clubs should work with the business and professional community.

Everett Tucker Jr., president of the school board, said he welcomed the ministerial association's "cooperation," but he said he knew of no need for special preparation of students and teachers.

Board Told To Speed Up Integration

ST. LOUIS (AP) — Without setting a time table, the 8th U.S Circuit Court of Appeals Thursday ordered the Little Rock, Ark., school board to speed up desegregation of the city's schools.

The court conceded the school board members were public spirited citizens working under adverse conditions. But it found the board, in deciding on school assignments for Negroes, "was motivated and governed by racial considerations."

The court ruled procedures used in making such assignments "were clearly in violation of the constitutional rights of (Negro) plaintiffs."

The court ordered no change in the board's basic plan for integration in three phases, starting with the senior high schools, then the junior highs and finally at the elementary level. But it noted the first phase still had not been completed whereas the plan called for integration to be completed not later than 1963.

The board was directed to apply the Arkansas Pupil Placement Law objectively and "without discrimination based on race or color."

LITTLE ROCK SPLIT BY SCHOOL RUILNG

One Member Says Board Defies U. S. in Seeking to Delay Integration

Special to The New York Times

LITTLE ROCK, Ark., March 1—The Little Rock school board, told by a Federal court to allow "more than token integration" in the city's public schools, is divided over how to go about it.

The conflict apparently pits Ted Lamb, the board's secretary, against the rest of the six-member board.

The split was revealed last week after the Eighth Circuit Court of Appeals ruled that the board was misapplyinq the Arkansas pupil-placement law in using it to hold down integration.

Mr. Lamb, an advertising executive, issued a statement declaring that the desegregation policies of the board majority were "leading Little Rock down the road to further strife and uncertainty."

Criticizes Majority

He said the board's majority had been insisting that through the pupil-placement law it could "out-trick, out-maneuver and defy" the Federal Government. Mr. Lamb said he opposed such a policy from both a practical and a moral position. He continued:

"The school board has never seriously thought to rally the forces of Christianity and good-will in our town to enter into compliance with the court on a moral basis. The board seems to pay more attention to a handful of bigots and racists than to those who work for justice and righteousness in our city."

Mr. Lamb said the other members of the board were dominated by the president, Everett Tucker Jr.

Mr. Tucker declined to reply to Mr. Lamb's statement but three other board members commented.

Charges Denied

B. Frank Mackey and W. C. McDonald denied that the board was listening to "bigots and racists" or that it was dominated by Mr. Tucker. Mr. McDonald also said that the board was not using the pupil-placement laws unfairly.

Russell H. Matson Jr. said only that he wished Mr. Lamb had not made his statement. J. H. Cottrell Jr., the sixth board member, declined to comment.

The board has not announced how it plans to carry out the court's ruling. In a statement issued after the decision was announnced, Mr. Tucker expressed concern, but he noted that the motion before the court involved only the 1959-60 pupil assignments. He said the board had perfected its pupil-assignment procedures since then.

The present board reopened the Little Rock high schools in August, 1959, after they had been closed for a year by Gov. Orval E. Faubus to prevent integration.

11 Negroes Integrated

Five Negroes were assigned to Central High Schoool and three to Hall High School that year. Seven Negroes now attend Central and four attend Hall.

Three members of the present board—Mr. Tucker, Mr. Lamb and Mr. Matson—were on the board in the first half of 1959, along with three extreme segregationists who favored the Faubus policy. At a special election the extreme segregationists were removed from office and Mr. McDonald, Mr. Mackey and Mr. Cottrell were chosen to replace them.

Although the board expanded integration slightly at the high-school level last fall, it decided against extending integration to the junior highs.

The board is under court rulings requiring it to end racial discrimination on all levels of its school system by the fall of 1963. The Circuit Court directed last week that the Federal District Court here retain jurisdiction to see that this is carried out.

MIXING STEPUP, COURT'S ORDERS

Little Rock Board Told to Advance Integration

ST. LOUIS (AP) — The 8th U. S. Circuit Court of Appeals ruled Thursday the Little Rock, Ark., school board must speed up desegregation of the city's schools.

The appeals court thus upheld arguments by attorneys for 14 Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

The appellate court reversed a Sept. 2 ruling by federal Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The high court directed Judge Miller to retain jurisdiction, which Miller rejected in his September decision.

ASSIGNMENT LAW

The appeals court said the Arkansas pupil assignment law as "a standard and criteria cannot be given application to preserve imposed segregation."

It said in a 21-page opinion the obligations of desegregation are not being met by the law.

The ruling further said the law must be "applied objectively" to the initial assignments of all pupils.

Negroes protested to the appeals court last Nov. 17 that the Arkansas pupil placement law "permits the permanent continuation of racially discriminatory policies."

Attorneys for 14 Negro pupils argued at that time in an appeal from a ruling by the Little Rock district court that the assignment law was being used "to whittle away" at the city's desegregation law.

2 Negroes Hit Barrier At Dollarway

PINE BLUFF, Ark. (AP) — The Dollarway School board announced Thursday it had turned down the application of two Negro children for admission to the first grade at Dollarway School next fall.

Unless the decision is reversed, Delores Jean York, who will be in the second grade, will remain the only Negro in formerly all-white Dollarway.

The board gave no reason for rejecting the requests of parents of Benny Ree York, 6, a brother of Delores Jean, and Samuel Wayne Cato, 5, that the boys be assigned to Dollarway.

Rehearings may be asked within 10 days. If the board refuses to change, the assignments may be taken to court under the state's pupil placement law.

Th board assigned 80 first graders to Dollarway; 86, including the York and Cato boys, to all-Negro Townsend Park, and 11 to Hardin, an all-white elementary branch of Dollarway.

U.S. District Judge J. Smith Henley, in approving an integration plan which the board said would be affected initially only in the first grade, said he would keep a close watch on how the board applied the state's pupil assignment law.

The Dollarway district, which lies partly in Pine Bluff, has been involved for several years in a school integration suit, which is still pending.

The board is under orders to report to U.S. District Judge J. Smith Henley at Little Rock by July 15 on how it is using the state pupil placement law to make assignments.

Dollarway Pupils To Be Registered

Integration Plan Will Be Put Into Effect

PINE BLUFF, Ark.) May 24. —(AP)—Children who are to enter the first grade next fall in the Dollarway School District, the object of a long-pending integration suit, will register Monday and Tuesday.

Supt. Charles F. Fallis said a child should register at the school his parents wish him to attend.

That doesn't necessarily mean he will be assigned to that school.

The school board has promised United States District Judge J. Smith Henley at Little Rock that it will give recognized qualification tests in implementing integration in the district.

Judge Henley has tentatively appr ved the latest board plan for integration, which would confine its expansion at present to beginning first graders.

One Negro girl now is in the first grade of formerly all-white Dollarway School. She will be in the second grade at the school next fall.

Speed Ordered In Integration In Little Rock

Court Of Appeals Rules Rights Of Negroes Violated Under Pupil Placement Act

By The Associated Press

St. Louis, March 2.—The United States Eighth Circuit Court of Appeals ruled Thursday the Little Rock School Board must speed up desegregation of the city's schools. It set no timetable.

The court held that constitutional rights of Negro pupils had been violated by procedures used in making assignments to various schools under the Arkansas Pupil Placement Act.

The appeals court thus upheld arguments by attorneys for 14 Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

Reverses Ruling

The appellate court reversed a September 2 ruling by Federal District Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The high court directed Judge Miller to retain jurisdiction, which Miller rejected in his September decision.

The appeals court said the previous failure of the Little Rock School Board to make progress toward desegregation might be justified. It cited the 1957-58 school year, when Central High School at Little Rock operated under supervision of federal troops and the fact that the schools were completely closed during 1958-59.

"However," the court said, "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."

The appeals court, which previously had upheld constitutionality of the Arkansas Pupil Placement Act ruled that the School Board must make changes in its application of the act.

"The standards and criteria of the pupil-assignment law cannot be given application to preserve imposed segregation," the court ruled.

Rules On Motivation

The court conceded the School Board members were public-spirited citizens working under adverse conditions. But it found the board, in deciding on school assignments for Negroes, "was motivated and governed by racial considerations."

The court ordered no change in the board's basic plan for integration in three phases, starting with the senior-high schools, then the junior highs, and finally at the elementary level. But it noted the first phase still had not been completed whereas the plan called for integration to be completed not later than 1963.

The board was directed to apply the Arkansas Pupil Placement Act objectively and "without discrimination based on race or color."

Arkansas Directed To Step Up Mixing

LITTLE ROCK, Ark. (AP)—The Little Rock School Board, whose moderate members thought racial integration was progressing peacefully in this once strife-torn city, now faces an integration speedup order from a federal court.

What the order will mean is not yet clear. But for the first time in 18 months, Little Rock is aware that its integration troubles are still very real.

NO TIME TABLE

The 8th U.S. Circuit Court of Appeals in St. Louis ruled Thursday that the school board would have to speed up integration, but it did not set up a time table, and it significantly did not throw out the Arkansas Pupil Placement law.

The placement law provides that school boards may assign students to various schools for a number of reasons, including aptitude and mental attitude, but not race.

The court said that the board is using the law as a device to hold integration to a token basis. The law was upheld by the U.S. Supreme Court, which warned that it must be used in good faith.

Federal Judge John E. Miller of Fort Smith, Ark., ruled last Sept. 2 that the board was using the plan in good faith and was progressing satisfactorily with integration. But the 14 Negro students who brought suit against the law appealed to the St. Louis court, and Thursday's decision was the result.

The appeals court also returned jurisdiction in the case to Miller, who had rejected it.

Everett Tucker Jr., president of the Little Rock School Board, said he was encouraged by the court's decision because it did not invalidate the placement law.

Tucker said the ruling was based on the board's 1959 pupil assignments, and not on the 1960 ones. The 14 students had been protesting since 1959, when three students were assigned to Little Rock Central High School and three to Little Rock Hall.

In 1960, seven were assigned to Central and four to Hall.

"We admitted in the courtroom we had only a week or 10 days to do six weeks of assignment work in 1959," Tucker said. "And we didn't have time to do it as thoroughly as we would have liked. But in 1960 we had that time, and we have dis-established imposed segregation in Little Rock."

Tucker said no board meeting was planned to discuss the situation immediately. Other board members declined comment until they could read the decision.

Gov. Orval Faubus said he did not plan any new legislation on the subject. The Arkansas Legislature is in the midst of its biennial session. which ends March 9.

Arkansas Bills Get Quick Push In Final Hours

Legislative Session Ends Today—House Gives OK To 3 Amendments

By RICHARD ALLIN

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, March 8. — Three constitutional amendments—one dealing with racial segregation in schools, another to increase a town's taxing powers, and a third to permit use of voting machines in the state—passed the Arkansas House Wednesday.

The measures were passed on the final full day of the 63rd General Assembly. The Legislature adjourns at noon Thursday.

The proposed amendments on segregation and taxation have already passed the Senate, and are qualified without further action to be submitted to the people for a vote.

Up To Senate Today

The voting machine measure will be considered in the Senate Thursday morning.

The proposed amendments are submitted in the form of joint resolutions. Briefly, here is what each does:

Senate Joint Resolution 1, a measure sponsored by Gov. Orval Faubus, would provide that no child shall be denied a free public education because of his refusal to attend an integrated school.

Senate Joint Resolution 4 would give municipalities additional taxing power and would remove existing constitutional limits on taxation. The measure would permit the city governing body to pass a taxation ordinance, subject to the approval of the voter. The tax would be authorized for any lawful municipal purpose including raising revenues to pay off municipal improvement bonds. The amendment would also authorize fixing salaries of municipal officials.

House Joint Resolution 13 would permit the use of voting machines in the state. A recent court decision held that voting machines cannot be used under the present constitution.

Committee Passed Up

About 40 amendments to the Constitution had been proposed by the General Assembly. Only three may be adopted in any biennium.

A joint Senate-House Constitutional Amendments Committee met Monday and recommended 'do pass" on three amendments, but the Legislature passed up the committee's recommendations. Only one amendment recommended by the committee—HJR 4 — was passed by the House and Senate.

The committee had passed over discussion of the Governor's segregation amendment completely. It recommended passage of two other amendments — HJR 29 which would have set salaries of county officials according to population of their counties, and HJR 31, which would have let the General Assembly create industrial districts for industrial development.

No action was taken on HJR 29 by the House or Senate Wednesday. This does not mean that its consideration in completely ruled out, however.

HJR 31 was withdrawn by its author, Representative Jack S. Oakes of Woodruff County, who said the matter would be put on the ballot in the form of an initiated act.

Integration By Grades Is Offered

PINE BLUFF, Ark., March 11 (AP)—Any further integration at the Dollarway School will come at the first grade level, the Dollarway School Board has told U.S. District Judge J. Smith Henley.

In a reply Friday to a court order directing the board to come up with a new desegregation plan, the board indicated that it would follow a grade-a-year program.

THE BOARD set out plans for assigning entering first-grade pupils to school according to the preferences of their parents, with certain limitations.

One Negro girl, 6-year-old Delores Jean York, has attended the formerly all-white school near here this year under a previous plan adopted by the board.

The 8th U.S. Circuit Court of Appeals overturned that plan and Henley, acting on the higher court's ruling, directed the board to "have a plan that will last through a few rounds of litigation."

* * *

THE BOARD said that parents of all entering first graders would be asked to state a preference of school. Those first graders scoring at least in the average range on qualification tests "will be assigned to the school for which a preference is indicated unless clearly contrary to . . . school at which, in the judgment of the pupil standards and criteria of the board, they will be afforded assignment law," the board said. the greatest opportunity to de-

Pupils scoring below average velop their educational capac-ities."

Speed Integration, Little Rock Told

The Atlanta Constitution

Atlanta Jour.

ST. LOUIS, Mo. (AP)—The Eighth U.S. Circuit Court of Appeals ruled Thursday the Little Rock, Ark., School Board must speed up desegregation of the city's schools.

The court held that constitutional rights of Negro pupils had been violated by procedures used in making assignments to various schools under the Arkansas Pupil Placement Act.

ARGUMENTS UPHELD

The appeals court thus upheld arguments by attorneys for 14 Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

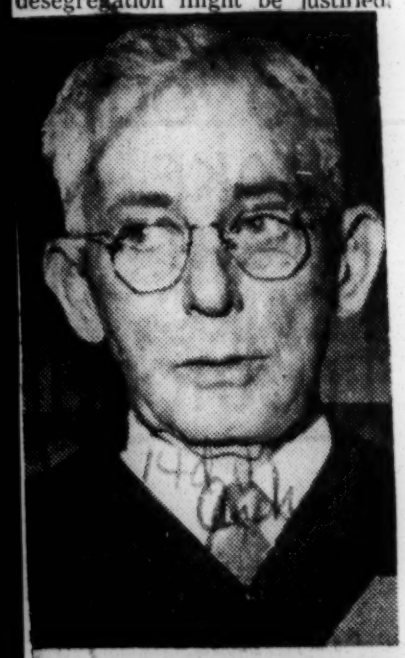
The appellate court reversed a Sept. 2 ruling by U.S. District Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The high court directed Judge Miller to retain jurisdiction, which Miller rejected in his September decision.

MAY BE JUSTIFIED

The appeals court said the previous failure of the school board to make progress toward desegregation might be justified. It cited the 1957-58 school year when Central High at Little Rock operated under supervision of federal troops and the fact the schools were completely closed during 1958-1959.

"However," the court said, "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."



OVERRULED

Judge John E. Miller

Little Rock Told To Speedup Integration

Atlanta Daily World

Atlanta Jour.

ST. LOUIS, Mo. — The Eighth U. S. Circuit Court of Appeals on Thursday ordered the Little Rock School Board to speed up the desegregation of the city's schools. The court upheld arguments by attorney for 14 pupils, who had contended the board established "a governmental framework to prevent desegregation."

The speedup ruling reversed a September 2 ruling by U. S. Judge John E. Miller, of Little Rock, who had held the board was acting in compliance with the law. The higher court ordered Miller to retain jurisdiction which he had rejected in the September decision.

The appellate court while bringing the new order, said the previous failure of the board to make progress toward desegregation might be justified. The court cited the 1958-59 school year when Central High School operated under supervision of U. S. troops, and were also completely closed during portions of this period.

"However," the ruling continued "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."

This court had previously upheld the constitutionality of the Arkansas Pupil Placement Law, but it ruled Thursday the board must make some changes in its application of the act.

The ruling declared "The standards and criteria of the pupil assignment law cannot be given application to preserve imposed segregation. The obligation to disestablish imposed segregation is not met by applying placement os assignment standards, education theories or other criteria so as to produce the result of leaving the previous racial situation existing as it was before."

Thus the school board was reminded it was under an injunction requiring they take "affirmative steps on their own initiative to facilitate and accomplish operation of the school district on a non-discriminatory basis."

The court added the pupil assignment law must be applied objectively in making assignments of "all students in the Little Rock school system."

Schools in Little Rock Ordered To Spur Desegregation Process

The New York Times

ST. LOUIS, March 2 (AP)—The Court of Appeals for the Eighth Circuit ruled today that the Little Rock, Ark., School Board must speed desegregation of the city's schools.

The court held that constitutional rights of Negro pupils had been violated by procedures used in making assignments to various schools under the Arkansas Pupil Placement Act.

The court thus upheld arguments by attorneys for fourteen Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

The court reversed a ruling of Sept. 2 by Federal Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The higher court directed Judge Miller to retain jurisdiction, which he rejected in his decision last September.

The Appeals Court said the previous failure of the Little Rock School Board to make progress toward desegregation might be justified. It cited the 1957-58 school year when Central High at Little Rock operated under supervision of Federal troops and the fact the schools were completely closed during 1958-59.

However," the court said, "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."

Private School Permits Pupils' Rapid Progress

From The Commercial Appeal Helena, Ark., Bureau

HELENA, Ark., Nov. 8. — The little school on the corne is Helena's only private institution and the only one here fo pre-school students.

Students at Mrs. Dickerson' School are permitted to pro gress as rapidly as their interes and ability allows. Pre-schoo students in reading classes. first graders studying Spanis or 7 and 8-year-old childrer painting and studying ballet are no novelty at the school.

Children also are given in struction in art, dancing and music appreciation.

Mrs. Dickerson's School is se up for the first three grades in addition to pre-school. "Studies of progressive education have shown if a child has the same teacher throughout the first three years of school, the teaching program is much more effective," Mrs. Dickerson said.

The students are encouraged to read anything within their ability and interest. The phonics method is used, which gives the child a better understanding of unfamiliar words. Mrs. Dickerson is the author of a phonics coloring book, with which her students can color the pictures say the words and learn the sounds.

Schools Quiet In Little Rock

Commercial Appeal

Integration Is Extended Without Incident In Arkansas

Dwd 9-6-61

By RICHARD ALLIN
From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, Sept. 5. — Forty-six Negro children carried Little Rock school integration to its farthest point yet Tuesday—a peaceful day unruffled by incident.

Memphis Press

Four junior high schools and one high school admitted Negro students for the first time in a routine opening day.

Central High School and Hall High School, both previously integrated, reported no trouble.

In the early hours, Little Rock police cars patrolled the areas around the newly integrated schools. Officials insisted they anticipated no trouble, but they wer on hand just in case.

Board Tours Schools

The only crowds were the thousands of students facing teachers in the classrooms. The only excitement was that of being in a higher grade. The only noise was from opening of textbooks, the compelling sound of the gongs and the tick of chalk on blackboards.

Members of the school board toured al lthe newly integrated schools Tuesday morning. They were finished by 9 a.m.

School board president Everette Tucker's announcement reflected the routinness of the situation. He said:

"The reopening today (Tuesday) of Little Rock public schools, including the desegregation of four junior high schools and one senior high school for the first time was completely routine and without incidents of any kind whatsoever.

"This, of course, is as it should be, and the school board is proud of Little Rock's peaceful acceptance of this intermediate step in the court-approved plan of integration."

Central High School, the scene of past violence, admitted 13 Negroes Tuesday. To make sure Central's day opened without incident, five patrol cars, about 20 policemen and some motorcycle police were on duty in the area.

Hall High School, in Pulaski Heights, reported five Negro students in classes. Both Hall and Central have been integrated since 1957.

Technical High School was integrated for the first time by five Negro students. The police assigned to the area reported "all quiet."

Two Reassigned

Eleven Negroes entered the previously all-white West Side Junior High School, the largest number to be assigned this year to any junior high school. Police cars, each with five or six officers, kept West Side under surveillance until after the class bells had rung.

At East Side Junior High School, nine Negro students joined classes without hindrance. Outside, two or three curious adults followed police advice to move on.

Only one Negro pupil entered previously all-white Forest Heights Junior High School in Pulaski Heights.

Two Negroes entered Southwest Junior High School.

Originally, 48 Negro students were assigned to integrated schools. Two, however, requested reassignment to all-Negro schools.

One school board member said he was encouraged by the tranquility of school opening Tuesday. But, having observed the Little Rock school system in the ravages of disorder in 1957 and 1958, he said he could not relax completely yet.

In North Little Rock, plainclothes policemen stood by, but no Negroes tried to enter the all-white schools as they have in the past.

10 Districts Integrate

Ten school districts in Arkansas have some degree of racial integration this year.

These include the Dollarway School District which Tuesday admitted peacefully four Negro elementary school students.

Other districts with integration include Bentonville, Charleston, Fayetteville, Fort Smith, Hoxie, and Van Buren.

An elementary school at Little Rock Air Force Base has admitted 10 Negro students.

Schools Expect Little Trouble

Commercial Appeal

48 Negroes Planning To Enter Classes At Little Rock

Jwd 9-5-61

By The Associated Press

LITTLE ROCK, Sept. 4. — Forty-eight Negro students are expected to attend classes in once-white high schools and newly-desegregated junior highs here Tuesday when the fall term begins.

Memphis Press

Police will stand guard at integrated schools, but the violence of 1957 and 1959 is not expected to recur.

Meanwhile, in the Dollarway School District 65 miles southeast of here, four Negroes will attend a once-white school in an area generally regarded as a hotbed of segregationist feeling.

Integrated Last Year

One Negro girl, Delores Jean York, 7, integrated Dollarway School last year. This year she is accompanied by her 6-year-old brother, Bennie, and two other Negro youngsters. Two are in first grade and two in second.

No trouble was expected there, either.

Twenty-four Negro seventh graders will integrate four Little Rock junior high schools for the first time. Elementary schools still are segregated.

Twenty-four Negroes also will attend Central, Hall and Technical high schools. Only 11 went to Hall and Central last year and Tech was an all-white facility. Most of the city's Negro high school students will attend all-Negro Horace Mann High.

No Trouble Expected

Police Chief R. E. Glasscock said he was expecting no demonstrations. Amis Guthridge, president of the segregationist Capital Citizens Council, charged Saturday that school officials were not complying with a state law which provides for segregated classes in integrates schools for white students who request them.

Everett Tucker Jr., president of the school board, said the law was being obeyed.

In 1957, Gov. Orval E. Faubus called National Guardsmen to block the first entrance of Negroes into Central. Federal troops enforced the court-ordered integration after rioting erupted.

High schools were closed by Governor Faubus in 1958.

On opening day in 1959, police used clubs and fire hoses to beat back a segregationist march on Central.

Thtre were no demonstrations last year.

Hearing Opens In School Suit

Commercial Appeal

Irregularities Charged In Taxpayers' Case At DeWitt

Jwd 11-28-61

By The Associated Press

DEWITT, Ark., Nov. 27. — A taxpayers' suit against the DeWitt School Board went to trial in Chancery Court here Monday, and much of the first day's testimony concerned the board's food purchasing practices.

The 12 school patrons who filed the suit allege illegal hiring practices and other irregularities on the part of the board and Supt. Harold Brotherton.

Memphis Press

Ruling Reserved

Chancellor Lawrence Dawson said he would reserve a ruling on whether school boards must advertise for bids on food for lunch programs.

He made the announcement after the taxpayers' attorney read into the record a statement from Elmer Ferguson, a board member. Mr. Ferguson said competitive bids were taken by the board, but there was no advertisement for bids.

Attorneys for the board contended state law does not require advertisement for bids.

Sources close to the court said the trial probably would continue several days. The school board members and Supt. Brotherton have denied the allegations in the suit and asked for dismissal.

Property Sale Described

Mrs. Hazel Norsworthy testified Monday she paid J. L. Fly, a school board member, $6,500 for property the school district had sold to Mr. Fly's daughter for $3,750.

Mr. Fly testified he had spent about $2,000 in improving the property before selling it.

Mrs. Norsworthy said while she dealt with Mr. Fly, she knew the property and a house belonged to Mr. Fly's daughter. In question in the sale is alleged profit made by Mr. Fly that should have gone to the school board.

Faubus Injects Integration Note Into New Term

Urges Free Education For Children Who Reject Desegregation

By KENNETH TOLER
Staff Writer

LITTLE ROCK, Jan. 10. — Gov. Orval Faubus began his fourth term Tuesday with a pledge to continue fighting for "self - determination in the handling of our own school affairs." He proposed a constitutional amendment guaranteeing free public education to children refusing to attend integrated facilities.

The Governor outlined the proposal in his inaugural message before the 63rd Arkansas General Assembly which applauded those sections denouncing "compulsory integration."

He labeled the proposal "perhaps the door of escape" from compulsory or forced integration "by the use of court orders, injunctions, United States marshals, troops, battle groups and shining bayonets."

'Not Forbidding'

Governor Faubus urged the Assembly to submit to the people the proposed amendment providing that "no child shall ever be denied his right to a free education by reason of refusal to attend school with a student of another or different race" on showing that such would be "inimical to his welfare."

"This measure does not forbid integration of schools; it does not forbid integration of anything for those who choose integration," he explained. "It merely provides a way out for those who sincerely wish to avoid integration and its consequences.

"If there are those who say that no way can be left to avoid association by compulsion, then the answer is quite clear as their aim is not equality of freedom of opportunity or liberty," the Governor said. "It is complete and total integration by whatever means, without the escape of any, regardless of its consequences to standards of conduct, morality and decency."

Conspiracy Claimed

In asking the legislators to approve the amendment, Governor Faubus challenged "the integrationists, who so cleverly sabotaged proposed Amendment 52 in the November election (permitting closing of schools) to step forward and immediately challenge the constitutionality of this measure in the courts."

"In this way, these people can be labeled for what they truly are—'sponsors of integration by force,'" he said.

"Some of these people have publicly posed as defenders of our schools, while secretly conspiring to destroy our rights and the effectiveness of our schools by forcing upon our people integration of our schools," the Governor said. "Under the false cry of 'freedom' they would destroy our freedom and would by compulsion make each of us a conformist, both in our private and public lives."

Asserting that "their way requires the destruction of anyone who challenges them," Governor Faubus said, "They have tried now for a long time to destroy me and they will keep on trying.

"I say to them that they can keep on trying to destroy me, for I will not be coerced, persuaded or bribed into giving up the fight for freedom as set out in the Constitution," he said.

Easier Changes Sought

The Governor also proposed an amendent to facilitate changes in the Constitution in emergencies where "the need arises to protect the welfare of our people." It would permit a vote in a special election rather than waiting until the next general election.

FAUBUS PROPOSES INTEGRATION BAR

Revives Move to Authorize State to Pay Tuition for Students Who Ask It

Special to The New York Times.

LITTLE ROCK, Jan. 21—Gov. Orval E. Faubus, visibly disappointed over the defeat of his local option school-closing amendment in the last general election, has proposed a new measure to impede school desegregation in Arkansas.

Mr. Faubus outlined in his fourth Inaugural Address a proposed change to the State Constitution to permit a student to obtain "a free public education" even if he refused to attend a desegregated school.

The State Legislature, which heard the Governor's speech at the outset of its regular biennial session here, received the proposal warmly. There was every indication the legislators would approve the measure and put it on the ballot for a popular vote in November, 1962.

This was the same route charted for the Governor's Amendment 52. The proposal was pushed through the Legislature early in 1959, only to be soundly defeated last November despite a late all-out effort by Mr. Faubus to get it approved. This bill would have allowed individual school districts to close their schools and divide their tax money among their students in the form of tuition grants.

Effect of Proposal

Mr. Faubus' new proposed amendment has been interpreted as a move to authorize state tuition payments for students who refused to attend integrated classes.

The text of it follows:

"No child shall ever be denied his or her right to a free public education, to which he or she is otherwise entitled under the Constitution of this state, by reason of his or her refusal to attend school with a student or students of another or different race when he or she proves to the satisfaction of his or her school board that to do so would be inimical to his or her welfare."

After reading the text to the Legislature, Mr. Faubus remarked that the length and complexity of Amendment 52 made it easy prey "for those who set out to sabotage it." He said many well-meaning citizens had voted against it.

In contrast, he said, the new amendment is brief and clear. "I challenge the integrationists, who so cleverly sabotaged Amendment 52, to step forward and immediately challenge the nonstitutionality of this measure in the courts. In this way, these people can be labeled for what they truly are—sponsors of integration by force."

He said his new proposal provided a way out for those who "sincerely wish to avoid integration."

Teachers Reject Faubus Offer

Retirement Pay Compromise Called 'Surrender' By AEA

By RICHARD ALLIN
From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, Feb. 24—The Arkansas Education Association Friday rejected Gov. Orval Faubus' compromise proposal which the Governor said would have settled the current controversy over teacher retirement.

The AEA said accepting the proposal would amount to "unconditional surrender" on their stand on teacher retirement.

Governor Faubus would not comment on the rejection of his proposal, but he said he might leave the offer open.

Money Difference

The controversy is over how much money the state should put into the teacher retirement system. Governor Faubus says it should be an amount equal to five per cent of a teacher's salary. The AEA says it should be 9.72 per cent.

The "compromise" proposed by the Governor for this biennium would be for the state to contribute 3.7 million dollars for 1961-62 and 3.9 million dollars for 1962-63. That amounts to about two million dollars less than the AEA feels is necessary to maintain the system adequately.

An AEA committee met Thursday night to consider the compromise proposal. On Friday their statement rejecting the offer was released by John A. Trice of Pine Bluff, chairman of the AEA legislative committee, and R. B. Chitwood of Lake Village, chairman of the AEA retirement committee.

The statement declared that the AEA retirement plan as set forth in House Bill 379 and Senate Bill 245 had been drawn up by an actuary and was financially sound.

"We oppose with all the vigor at our command the Governor's plan as embodied in HB 456 (the five per cent plan) and any "compromise" which would provide less money to finance the teacher retirement system than the amount determined by the actuary to be necessary."

Accepts One Part

The AEA said they could agree to one part of the proposal which would set up a high level committee to study the financing of the system, with instructions to report to the 1963 session of the General Assembly. They added, however, that they could not accept other portions of the compromise "because such a move would undermine the financial stability of the teacher retirement system and inevitably result in a crisis in financing the teacher retirement system two years from now. This we cannot be a party to."

14d(1) 1961 CATHOLIC (CHURCH OWNED SCHOOLS)

Southern Catholic Schools Prepared for Mixing

ATLANTA — (AP) — Catholics in Georgia and South Carolina were told Sunday to prepare for lowering of the segregation bars in their parochial schools.

In a carefully worded letter read in every Catholic church of the two states, bishops of the Atlanta, Savannah, Ga., and Charleston, S.C., dioceses outlined the policy which would drop segregation "not later than the public schools are opened to all pupils."

The letter was not a joint statement, but was issued and signed individually by the bishops in their respective dioceses. It carefully avoided mention of integration, implying that the church was not undertaking positive action to have mixed classrooms but rather was taking away any barrier to such classrooms.

The policy follows similar action in recent years in other southern states of Louisiana, Virginia and North Carolina.

"The Negro schools will be continued as long as there is need for them," the letter said. "Their purpose is to reach and teach the Negro, not to segregate him."

The bishops "will prudently judge the appropriate time and conditions in such a way that the schools and the children, whether white or Negro, will not suffer by the change," the letter said.

During 1961, each diocese "will undertake a program of preparation for its people. Pastoral letters, sermons, study clubs and school instruction will explain the full catholic teaching on racial justice."

The exact timing for school integration was defined this way:

"Catholic pupils, regardless of color, will be admitted to Catholic schools as soon as this can be done with safety to the children and the schools. Certainly this will be done not later than when the public schools are opened to all pupils.

"In a region where our Catholic population is less than two per cent it is an honest effort to influence a way of life that has prevailed for many decades. Millions of people have accepted this way of life in good faith. Now both whites and Negroes face a tremendous challenge to live in a community with full Christian justice for both."

The letter was issued in the Atlanta diocese by Bishop Francis E. Hyland; in the Savannah diocese by Bishop Thomas J. McDonough and in the Charleston diocese by Bishop Paul Halliman.

Catholic Offers Alternate Plan For School Aid

U.S. Income Tax Deductions On Tuitions Proposed By Representative

By The Associated Press

WASHINGTON, March 12. — A proposal to allow income tax deductions on tuition paid to church-operated schools was offered Sunday as a compromise in the mounting controversy over Federal aid to private and parochial schools.

Representative Roman C. Pucinski, Illinois Democrat who has been arguing in favor of loans for private and parochial schools, suggested this solution. He said he had written to Commissioner Mortimer M. Caplin of the Internal Revenue Service asking Caplin to reverse a 1954 ruling that such tuition can not be claimed as a deduction in Federal income tax reports.

Would End Debate

Pucinski, a Chicago Roman Catholic, said such a reversal of tax policy would eliminate any further debate over constitutionality of direct or indirect Federal financial aid to church-operated schools.

Pucinski, a member of the House Education and Labor Committee, said that if one accepts Kennedy's argument that church schools are an extension of the church "then it logically follows that any contributions to such schools should be treated as any other church contribution" for tax purposes.

Pucinski's proposal came amid increasing signs that this explosive issue of Federal loans to private and church schools is heading for a crucial House test.

Before coming up with his tax proposal, Pucinski had been pushing a move to make a parochial and private school loan provision part of President Kennedy's measure for loans to colleges. This does not distinguish between private and tax-supported colleges. Presumably, if Pucinski is turned down on his tax appeal, he would resume his drive for inclusion of his loan suggestion in the Administration bill.

Support Pledged

Pucinski says he has received pledges of support from 50 members. He expects much wider backing if it can be determined that loans to church schools would not be unconstitutional, as Kennedy insists they would be.

One powerful ally Pucinski would pick up if the constitutional question can be settled is Representative Adam C. Powell (D., N. Y.), chairman of the House Education and Labor Committee, which will handle the legislation.

Powell, a Baptist minister, said last week he was personally convinced there was no constitutional bar to a loan program for church schools but would be guided in his final decision by a study now being made by his staff.

Parochial School Aid Nags Kennedy

WASHINGTON (UPI) — President Kennedy today faced new opposition in Congress over his refusal to include assistance for parochial schools in his aid-to-education program.

House Democratic Leader John W. McCormack of Massachusetts split with Kennedy on the issue Sunday. McCormack proposed that construction loans for private schools be written into the measure.

Kennedy, like McCormack a Catholic, already is at loggerheads with the leaders of his church on the issue. The U.S. Catholic hierarchy has said it will fight to have parochial schools included.

SAYS ISUE CLEAR

The President told his news conference last week that parochial schools could not be included in the $5.6 billion program because "it is prohibited by the Constitution and the Supreme Court has made that very clear."

But McCormack said there was no constitutional bar to the federal government "making long-term loans at reasonable rates of interest for the construction or the renovation or the repair of private schools."

"I would clearly and definitely say that the provision of that kind is justified and I would support it," McCormack said in a filmed TV interview with Sen. Kenneth B. Keatin, R-N.Y.

SUPPORTS PESIDENT

Kennedy's stand was supported Sunday by Chairman Adam Clayton Powell, D-N.Y., of the House Labor and Education Committee which will handle the bill.

Powell, a minister of the Abyssinian Baptist Church, said such legislation also would make money available to southern school districts which have closed down public schools and are trying to operate private systems.

Sen. Harrison A. Williams Jr., D-N.J., forecast that the school measure would touch off one of the hottest fights of the session. But he said he believed it would get through the Senate.

Parochial School Aid Wins Support

McCormack Splits With Kennedy View

WASHINGTON, March 5 (UPI)— House Democratic Leader John W. McCormack today split with President Kennedy on the aid to education issue by proposing that construction loans to parochial schools be written into the President's program.

Kennedy told his news conference last week there was no room for argument over whether parochial schools should be included in his $5.6 billion proposal because "it is prohibited by the Constitution and the Supreme Court has made that very clear."

But McCormack, like the President a Catholic, said there was no constitutional bar to the Federal government "making long-term loans at reasonable rates of interest for the construction or the renovation or the repair of private schools."

"I would clearly and definitely say that the provision of that kind is justified and I would support it," the Massachusetts congressman said in a filmed TV interview with Sen. Kenneth B. Keating (R., N. Y.)

Leaders of the U. S. Catholic hierarchy already have announced they will vigorously oppose the Kennedy plan on grounds it discriminates against parochial schools. They said they would fight to have church-operated schools included.

Kennedy's stand was supported today by Rep. Adam Clayton Powell. (D., N. Y.), chairman of the House Labor and Education Committee which will handle the bill and a minister of the Abyssinian Baptist Church.

Asserting that "my opinion is the same as the President's," Powell said such legislation also would make money available to Southern school districts which have closed down public schools and are trying to operate private systems.

"I would have to oppose it on that ground," Powell said.

14d(1) 1961

DELAWARE

Bringing Milford, Del., Up to Date

Where School Integration Erupted

IN A MATTER of days, millions of youngsters throughout the nation return to their classrooms. For hundreds of thousands in the South, faced with the complex problem of local antagonisms and conflicting Federal law, the reopening of school means explosive tensions and possible violence. In at least one school district, Prince Edward County, Virginia, the schools will remain shut.

For a close look at one of the nation's gravest internal questions, Herald Tribune staff writer Stuart H. Loory is touring areas that reflect different facets of the school desegregation story. His first stop is Milford, Del., the first community in the nation to obey the Supreme Court's historic 1954 desegregation ruling. Future stops: Prince Edward County, Louisville, Little Rock and points south.

By Stuart H. Loory

MILFORD, Del., Aug. 20.— You drive south across the Mason and Dixon Line on Highway 113 and an hour later you come upon this well-scrubbed downstate Delaware town of 6,000—the first community in the nation to close its schools in an integration fight after the United States Supreme Court's May 17, 1954, decision holding public school segregation unconstitutional.

Milford was the battleground of Bryant Bowles, a thirty-four-old ex-Marine who founded in 1953 the National Association for the Advancement of White People, Inc., an anti-Negro, anti-Semitic organization formed, he used to say "to protect the rights of white people."

For a month in 1954, Mr. Bowles captured the front pages of the nation's newspapers, speaking at mass meetings here, holding his daughter over his head and proclaiming she would never attend schools with Negroes "as long as there's a breath in my body and gunpowder burns." Statements such as these and hate literature he distributed helped to make the Milford of seven years ago" a powder keg" in the words of the then Police Chief Samuel G. Powell. "All we need is for someone to drop a match," he told a reporter in 1954.

The target of Mr. Bowles attack was the local Board of Education, which had admitted eleven Negroes to the tenth grade of the Lakeview High School. The board had taken the Supreme Court at its word and had not waited for the panel's decision on how to implement the vast social change. It felt no need. Even before the highest tribunal in the land had spoken, the Delaware Supreme Court had held Negro high schools unequal to white facilities under the old "separate but equal doctrine."

Milford was made for Bryant Bowles. Jim Crow was—and still is—very much alive. For the first nine days of the 1954 school year, the eleven Negroes attended the white Lakeview School, but not without protest from the townspeople. The residents lacked only the leadership to make their protests effective.

After Bryant Bowles arrived, the school board closed the high school under the threat of mob action. A few days later the school was reopened, the Negroes were brought in under police protection and the whites organized a boycott. Then the State Board of Education removed the Milford officials on a technicality (the local board had not received approval for its integration plan) and a group with segregationist leanings was installed instead. Lakeview High was again segregated and the Negroes were sent back to the colored high school—twenty miles away in Dover, the state capital.

Serving Prison Term

Today Bryant Bowles is serving a ninety-nine-year prison sentence in Texas for the first-degree murder of his brother-in-law. Bob Yerkes, editor of the weekly "Milford Chronicle" here and a man who believes in school segregation, says Bowles' defunct N. A. A. W. P. (dues $5 a year, $50 for life) was a racket.

But, nevertheless, segregationist feeling is still high. It cannot be reported that Milford is any more willing today than it was seven years ago to admit Negroes to its white schools.

From 1954 to 1959, complete school segregation prevailed. Then, acting under a state-wide "grade-a-year" integration plan, the school admitted Negro children to the first grade. Last year there were seven Negroes in the first and second grades out of the total school population of 2,513, which included 386 Negroes, most of whom were in a segregated elementary school.

This year, all of Delaware is under a Federal District Court order compelling school officials to accept any Negro who applies to a white school. The court held grade-a-year desegregation did not represent "all deliberate speed," as the Supreme Court demands, for Delaware, one of the northernmost Southern states.

Only Two May Apply

Indications are that only two additional Negroes will apply to the white schools when the doors open Sept. 6, according to one school official who would not be quoted. Frank Greer, president of L. D. Caulk Co., dental supply manufacturers, and a leading citizen here, said Negro parents are afraid to enroll their children in white schools. They are put under strong pressure—economic and social—not to do so, he said. "The Negro here has a tough row to hoe," Mr. Greer added.

The Rev. David DeBerry, a twenty-nine-year-old Negro minister from Washington and former Fulbright scholar who works at improving conditions in the migrant labor camps surrounding Milford, said the Negro community lacks leadership. All of the leaders of the 1954 movement have left town, he noted.

"This is a closed town," Mr. DeBerry said. "You have an authoritarian situation. The white people are dominant, they are ruling."

"Two Classes"

The school board is still composed of segregationists. One board member, who would not allow use of his name, explained his feelings about colored people this way:

"There are two classes of them—Negroes and niggers. The Negroes are the smart people—the people who want to be educated, who want to help themselves. The niggers don't care about anything. We are the servants of the niggers."

He said he would rather not have either "Negroes" or "niggers" in the white schools. But the board sees no alternative to complying with the Federal Court rulings and, for this reason, it has the backing of the townspeople in allowing token —but not complete—intergration.

Ted Townsend, secretary of the "Chronicle," said:

"This board is all from the segregationist faction, if you want to call it a faction. Their followers feel there's nothing they can do." He added, "The children certainly accept integraton."

Mr. Townsend's son attended second grade with Negro pupils last year and, according to his father, the youngster said there was nothing amiss in school.

Still Fear Trouble

Despite the attitude of the youngsters, the feeling here is that any attempt to bring about integration on a meaningful scale could spell trouble. One of the school officials said:

"There are still four or five people in town who could stir up a crowd of 1,000 in a couple of hours."

His statement was not disputed by City Manager J. Robert Green. Mr. Green said, "He might be right. But this time, I think the city would act differently than it did in the past (1954). I don't think we would give them (Negro pupils) police protection. I think we'd leave that up to the state police."

Mr. Green has no authority over the Police Department and was only voicing, he said, his own opinions.

On one thing, both proponents of integration (there are some in town though they are generally silent) and the segregationists agree. The chaos of 1954 left a lasting effect. "We don't consider that we're altogether settled yet," Max Corder, current school board president, said. Mr. Corder still holds out hope that legal action can be taken to forestall further integration, but other board members feel this is not possible.

Senses Bad Feeling

"I can still sense bad feeling when I walk down Walnut St. (the main street)," said Dean Kimmel, a research chemist at the Caulk Co., who was president of the integrationist 1954 school board.

Mr. Kimmel noted that, in 1954, Milford canceled its traditional Thanksgiving Day football game with Dover High because Dover had a Negro on the team and has not resumed the rivalry since. Before the trouble, the Milford residents had no qualms about letting its athletes meet Negroes on playing fields, he said.

The only flicker of hope for sound race relations was reflected in a change of attitude that has come over Mrs. Lillian Lynn since 1954.

In 1954, Mrs. Lynn was one of the most ardent demonstrators against integration. She kept her daughter, then just entering the first grade, out of school in protest, telling a "Delaware State News" reporter she would not allow her daughter to go to school with Negroes; that she couldn't coax the child into the experience even if she (the mother) would allow it.

A Change of Mind

This afternoon Mrs. Lynn stood behind the screen door of her green cement block bungalok at 208 Fisher St. and told a reporter:

"That's all done and gone with. I believe in leading my own life and letting the Negroes lead theirs. If they choose to go to white schools, there's nothing we can do about it. The good Lord didn't put us on this earth to fight."

Why had she changed her mind? Mrs. Lynn could give no answer. "I just thought about it," she said. In conversation she mentioned these things that could be factors:

1. She works in the white elementary school cafeteria and found that the precedent-setting Negro pupils treated her with more courtesy than some of the white youngsters:

2. Her nephew was helped through high school in West Chester, Pa., by a Negro friend and expressed his gratitude. "I sat next to a Negro family during the graduation and didn't think a thing of it," Mrs. Lynn said.

3. Her pastor and bishop in the Episcopal Church have spoken out against segregation.

4. She has reached the opinion that public school integration is not necessarily, as extreme segregationists say, the first step toward "mingling of the races." Mrs. Lynn said, "I'm bringing my daughter (now an eighth-grader) up and I don't have to worry about that."

Desegregation Plan Upheld in Delaware

WILMINGTON, Del., June 26 (AP)—A Federal District Court today upheld the State Board of Education's "short range" plan providing school desegregation this fall for all Negroes who want it if the school districts can handle the transfers.

Judge Cabel M. Wright, in a 15-page opinion, also held the State Board's "long range" plan of total desegregation by 1970. The General Assembly was given supervision over the desegregation procedure.

The plans had been opposed by Louis L. Redding, a Wilmington lawyer representing Negro children seeking desegregated schooling.

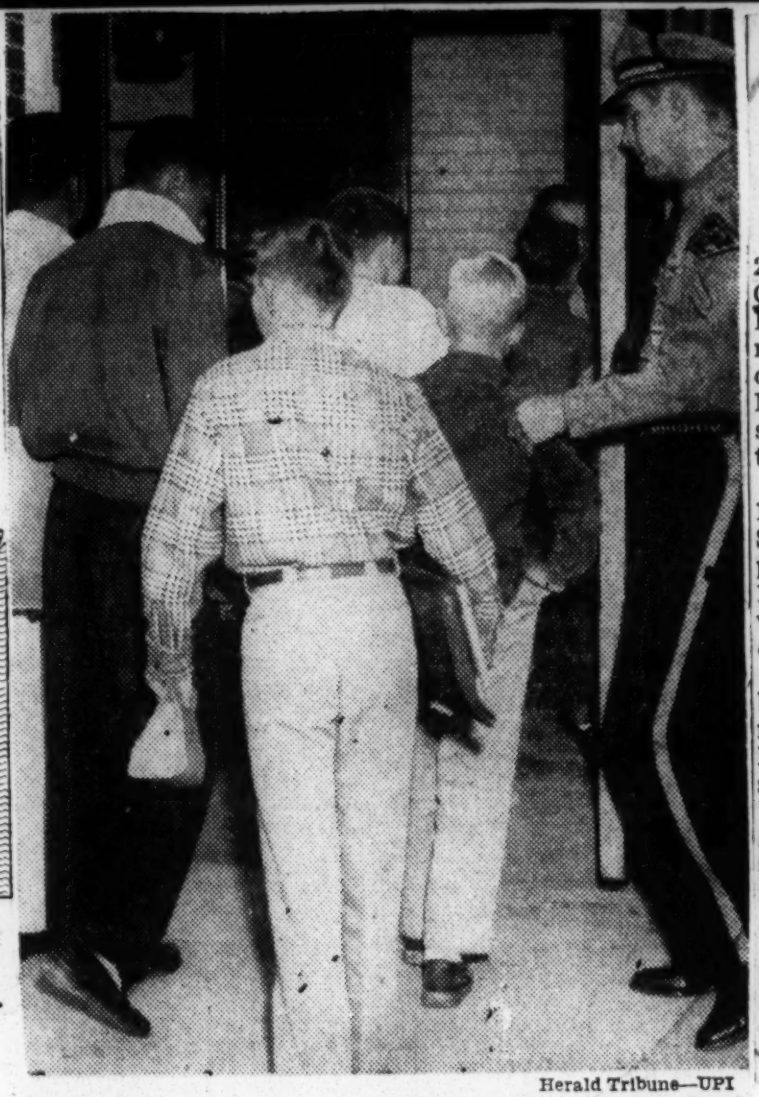
The State had insisted that adequate facilities must be provided, otherwise impossible administrative problems would arise.

Judge Wright generally upheld the registration, transfer and transportation features of the State proposal, but said they must be conducted in a non-discriminatory manner.

The Board had submitted its long and short range plans to the court at the direction of the United States Circuit Court of Appeals in Philadelphia.



Herald Tribune
Map locates Milford, Del.



Herald Tribune—UPI
Two Negro boys entering Milford, Del., high school with white students in 1954 as policeman stands guard.

14d(1) 1961

D.C.

Whites Boycotting D. C. Schools, Lawmaker Says

YAZOO CITY, Miss. (ANP) — Believers in racial segregation are doing in a big way in Washington what whites who don't like to go to school with Negroes are doing in a little way in New Orleans.

John Bell Williams, a Mississippi Congressman, pointed out to members of the Yazoo County White Citizens Council that the increasing ratio of Negro students to whites in the Washington school system can be accounted for by the withdrawal of whites.

Williams said Washington schools will soon be again virtually segregated—all black.

He said they were 68 per cent Negro when a committee which he headed investigated school conditions several years ago but today they are 80 per cent Negro and "the white folks are still moving out."

County Backs Negro Pupil Aid Project

The Montgomery County school system proposes to take over a pilot project started by Kensington parents in an attempt to solve a problem exposed when their neighborhood schools were desegregated.

The county's massive school budget of $75 million includes an item of $16,320 to continue and expand the pilot project.

When Negro children from the Ken-Gar section left segregated schools and entered desegregated classes, they were found to lag behind their white contemporaries in academic achievement. A similar achievement lag has been exposed elsewhere by desegregation because Negro children were found to have been at a disadvantage under segregated schooling.

A year ago Kensington parents set up volunteer tutoring groups for Negro children to erase the achievement gap between them and the white students in the community.

The $16,320 in the proposed budget would be used to hire two professional teachers to work with Negro children in the Ken-Gar area and to launch a similar project in another Negro neighborhood.

Elaine Barnes, director of Educational Services for the school system, said the program would retain volunteer tutors under school direction and also would seek ways of impressing upon Negro children and their parents the value of good school work.

Youth Charged in $150,000 Blaze At School; Two Minors Also Held

By Alfred E. Lewis
Staff Reporter

A 16-year-old Prince Georges County youth was charged by 14th Precinct police yesterday with setting the $150,000 blaze which destroyed the Carver Elementary School's old north wing Sunday night.

Charged with breaking into the school with him was the arson suspect's 16-year-old brother and another juvenile, 14. Police said they would consult with the United States Attorney's office today on the advisability of applying the arson charge to all three suspects.

The arson suspect was identified by police Capt. George E. Causey as James Proctor, of 4620 R st., Bradbury Heights.

Detectives and fire department inspectors who had worked almost without a break since the 4-alarm fire said that they encountered Proctor in a routine check of neighborhood youths with housebreaking records.

At their request, police said, Proctor came voluntarily to the stationhouse, denied knowing anything about the blaze, but told them the 14-year-old might be able to shed some light on it.

The 14-year-old then implicated Proctor and his brother, police said, and later all three furnished accounts of the foray in the presence of their guardians.

Proctor said he formerly attended the nearby Woodson Juoiur High School, where a teacher once told him that when he got to be 16, she never wanted to see his face around there again. He had nursed a grudge against schools ever since, police said he told them.

At an unusual, after-hours court proceeding yesterday, Proctor was ordered held in $25,000 bond by Chief Municipal Court Judge John Lewis Smith Jr. who scheduled a hearing on the charges for 2 p. m. today.

RFK says he can't start school suits

BY JAMES FREE
News Washington correspondent

WASHINGTON, April 7—Atty. Gen. Robert Kennedy thinks the Justice Department lacks authority to start school desegregation suits. And—unlike his Republican predecessors—he is not asking Congress to grant this additional power.

Kennedy made this clear in his press conference yesterday afternoon.



FREE

The attorney general did say that the question of possibly seeking authority to institute school desegregation suits "is under study." He added that there have been "several conferences and conversations at the White House, but there has not been a final decision as to exactly what we will do."

PRESIDENT Kennedy has not commented specifically on this matter, but he has made it plain that he will not propose any civil rights bills until the Congress has acted on many higher-priority measures he already has recommended.

A reporter noted that "it has been suggested that the department already has authority to institute suits in desegregation cases," and asked for the attorney general's views.

"I don't believe we do (have the authority)," was the attorney general's reply.

All this will come as bitter news to the National Assn. for Advancement of Colored People and other groups that have been urging the Justice Department to be aggressive in pressing school desegregation suits.

FORMER Atty. Gen. Herbert Brownell openly sought power from Congress to launch such suits. In 1957, President Eisenhower went along with this request.

The House did vote such authority in its first version of the Civil Rights Act of 1957, but the Senate did not go along with this provision.

Later, Atty. Gen. William P. Rogers sought White House approval of a renewal of the request for the authority. But the Little Rock High School case, with the use of federal troops, had entered the picture in the Fall of 1957.

And Eisenhower cooled off on this to the extent that he never again gave his endorsement to an administration request for this added authority.



The Washington Post

By Harry Naltchayan, Staff Photographer

Needs of District Schools Seen

B5

Washington D.C. Wed. 5-3-61

District School Supt. Carl F. Hansen and Agnes E. Meyer, author and lecturer, saw this scene at Garrison Elementary School, 12th and R sts. nw., where students were crowded into a building corridor for an assembly because there is no auditorium. Hansen and Mrs. Meyer, standing at rear, toured overcrowded schools. Story, P. B1.

14d(1) 1961 D.C.

FAILURE OF SCHOOL SYSTEMS TO KEEP TEAcHER INTEGRATION ABREAST OF CLASSROOM DESEGREGATION (600 NEGRO TEACHERS FACE PROBLEM)

600 Negro Teachers Face Problems in Desegregation

The Washington Post

P. 1 Sec. B

Many in Area Fear Jobs Will End If Assignment Policies Continue

Mon. 6-12-61 Washington, D.C.

By Carole Bowie
Staff Reporter

Failure of school systems to keep teacher integration abreast of classroom desegregation poses a problem for more than 600 Negro teachers in the Washington area.

While each of the area's seven school districts will enroll Negro students in predominantly white classes next fall, all but two will continue traditional unwritten policies of assigning Negro teachers only to all-Negro schools.

Looming before Negro teachers in Alexandria, Fairfax, Arlington, and Prince Georges —where teacher segregation prevails—is the fear that eventual disappearance of all-Negro schools may mean the end of their jobs.

The plight of the Negro teacher was highlighted this spring when three teachers at Arlington's Hoffman-Boston Junior-Senior High School were told they would not be rehired next September. The reason: transfer of 74 students to white classes would reduce enrollment at the all-Negro school.

Teachers Keep Jobs

Two of the teachers were retained after school officials, amid rising community controversy, re-examined their enrollment predictions and discovered an unexpected increase in Negro students entering Hoffman-Boston. The third teacher, officials explained, was hired originally on a temporary basis.

Negro teachers in Virginia, which is among states without laws governing teacher job security, have no protection against staff cut-backs. "Continuing contracts" granted teachers in Arlington, Fairfax and Falls Church, guarantee only that teachers will be rehired unless they are told of their dismissal before April 15.

The continuing contract, Assistant School Superintendent Charles Walsh of Alexandria has explained, "only assures teachers of good faith on the part of school officials. It does not grant them tenure." Alexandria employs teachers on a yearly basis and may end contracts at any time.

Maryland Situation

Under Maryland law teachers who are certified are granted permanent hold on their jobs after two-year trial periods. Teachers may, however, work in a school system up to five years before they are fully certified in the subject they teach.

While this law protects certified teachers from arbitrary firing, it does not protect the uncertified and temporary instructors who make up about 20 per cent of Prince Georges staff; nor does it keep school officials from replacing retiring Negroes with white personnel.

Teacher integration throughout the Washington area reflects the pattern of classroom integration. In Montgomery County, which will close its last all-Negro schools next fall, and the District, which desegregated all schools in 1954 assignment of teachers by race has been abandoned.

In Prince Georges and the large Northern Virginia school systems where integration has been confined to transferring small numbers of Negro pupils to white schools, teaching staffs have remained strictly segregated. Falls Church has no Negro teachers.

Segregation Factors

Among the factors which have prepetuated teacher segregation are:

• Gradual student integration. Where total integration is accomplished at once, as in the District, teachers in formerly all-Negro schools are needed to teach integrated classes. In slow-to-integrate areas, where only a handful of Negro pupils is added to predominantly white schools each year, school officials have no troube finding enough white teachers to meet classroom demands in desegregated schools.

• Lack of pressure from community organizations. Since Arlington School Board member James Stockard, jolted by the Hoffman-Boston incident, appealed to the Board to set some standard other than race to govern staff cutbacks, citizens in Northern Virginia have remained publicly silent on the subject of teacher integration.

Pressure for teacher integration in Arlington also is just beginning to arise from NAACP leaders—who previously focused their attention on classroom desegregation—and parents who some school officials have predicted would not accept Negro teachers.

P-TA Deplores Firings

Twelve members of the Wakefield High School P-TA Executive Board recently voted a resolution deploring firing of teachers on the basis of race. Theodore Taylor, president of the group, said he has received only favorable reaction to the move.

The issue of teacher integration last arose before the Prince Georges School Board in 1958, when it took an NAACP request for staff desegregation "under advisement."

• Lack of pressure from professional groups. Until this year, when teachers associations in Arlington and Prince Georges desegregated schools, all professional organizations in slow-to-integrate systems were racially segregated and neither white nor Negro groups had spoken out on staff desegregation. Some school leaders expect, however, that admission of Negroes, especially in the split Arlington Education Association, will shift the balance of power and result in a drive for new personnel policies.

• Attitudes of school leaders. Integration of teaching staffs was undertaken at the intitiative of school officials in the District and Montgomery County, where School Boards and administrators interpreted compliance with the Supreme Court's 1954 desegregation ruling to include staff as well as students.

In Alexandria and Fairfax school officials have made no moves—and administrators say they plan none—to alter traditional policies. In Arlington, where the School Board referred Stockard's desegregation proposals to the staff "for study," administrators are expected to resist the change.

In Prince Georges School Superintendent William S. Schmidt has remarked that the Supreme Cout desegregation decision "applied only to students and no mention was made of teachers."

14d(1) 1961

DELAWARE

Delaware Desegregation Of Schools Continues

By LOUIS LAUTIER

WASHINGTON, D.C. (NNPA)—The Supreme Court Monday let stand the decision of lower Federal courts that the State of Delaware must admit all colored pupils to its schools on a non-discriminatory basis.

The court refused to review the judgment of the United States Third Circuit Court of Appeals at Philadelphia, reversing the Federal District Court at Wilmington, Del., which approved a grade - by-grade desegregation plan over a period of 12 years.

The suit to desegregate Delaware schools was first filed in the Federal District Court May 2, 1956, as seven separate class actions by colored children and their parents They sought an injunction against exclusion, because of color, from schools in seven school districts in Kent and Sussex counties. Geographically, these are the most southerly counties in the state.

The Delaware State Board of Education and George E. Miller, Jr., Delaware Superintendent of Public Instruction defended on the ground that many local school boards had refused to follow directives of the state board as to desegregation and that the state board was powerless to enforce such directives upon what it conceived to be autonomous bodies.

Chief Judge Paul C. Leahy granted a summary judgment against the state board and the state superintendent. He ruled that the state board had complete authority over the actions of the local boards and directed the state board to file a desegregation plan. The Court of Appeals affirmed his ruling.

A plan was submitted and approved by the District Court. The approved plan provided for desegregation of Delaware public schools on a grade - a - year basis over a period of 12 years, beginning with all first grades in 1959 and completing desegregation in 1970.

The colored children and their parents objected to the plan on two grounds:

1. It was not in accord with the mandate of the Court of Appeals approving the order of Chief Judge Leahy.

2. It did not follow the intent and substance of the Supreme Court decision of May 17, 1954, outlawing racial segregation in public schools.

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Top Court Backs Ban On Delaware Plan

WASHINGTON, Jan. 9. — The Supreme Court today let stand a July 29 order striking down Delaware's grade-a-year school desegregation plan and ordering full integration to begin next fall.

The court acted in a brief order, with no opinion.

The July 29 action was by the 3rd U.S. Circuit Court of Appeals in Philadelphia. Earlier a federal district judge had approved the grade-a-year arrangement, started last September.

Court Refuse to Review Order Killing Delaware Integration Plan

The Supreme Court refused yesterday to review a lower court order which struck down Delaware's grade-a-year school desegregation plan because the plan contained more deliberation than speed.

The effect of the refusal is to confront Delaware authorities with a requirement that they submit a new plan providing for the admission in 1961 of all Negro students requesting transfers to white schools.

Delaware had challenged the lower court's order on the grounds that other courts have approved similar grade-a-year plans for Nashville and Houston. But the Supreme Court's refusal to review was in keeping with its general policy of leaving school desegregation orders to lower courts.

Upset by Appeals Court

Delaware's plan, under which some Negroes were admitted to white schools last fall, had been approved by a District Court judge. But the Third Circuit Court of Appeals upset it last summer, commenting that "the accent is on deliberation rather than speed."

Desegregation in Delaware, Chief Judge John Biggs Jr. of the Court of Appeals said, should not be judged by standards which apply to other areas of the nation "which have not advanced as far upon the road toward full integration as has Delaware."

Delaware cuts two years off 'deliberate speed'

WILMINGTON, Del. — All of Delaware's school districts will be desegregated by 1970. This is the plan submitted by the state board of education to a Federal District Court.

Next September, colored pupils will be admitted to previously all - white schools, the board said. It added that the changes would be made if facilities are adequate and "scholastic abilities suitable."

A previous grade - a - year plan submitted by the board was thrown out by the court as "discriminatory and unconstitutional." This plan would have delayed full integration until 1972.

So far, the court has not indicated whether the two-year speed - up will be acceptable.

High Court OK's Del. school mixing

The Afro-American
Baltimore Md

By LOUIS LAUTIER

WASHINGTON, D.C. (NNPA) — The Supreme Court Monday let stand the decision of lower Federal courts that the State of Delaware must admit all colored pupils to its schools on a non-discriminatory basis.

The court refused to review the judgment of the United States Third Circuit Court of Appeals at Philadelphia reversing the Federal District Court at Wilmington, Del., which approved a grade - by - grade desegregation plan over a period of 12 years — following a suit filed in 1956.

The Delaware State Board of Education and George E. Miller, Jr., Delaware superintendent of public instruction, defended on the ground that many local school boards had refused to follow directives of the state board as to desegregation and that the state board was powerless to enforce such directives upon what it conceived to be autonomous bodies.

• • •

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The colored children and their parents objected to the plan on two grounds:

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• • •

IN APPROVING the 12 - year plan, Judge Caleb R. Layton said integration at a more rapid rate would overcrowd the schoolrooms, overtax the teachers, and have a most undesirable emotional impact on some of the socially segregated communities in Delaware.

The Court of Appeals disagreed. The state board and the state superintendent asked the Supreme Court to review the judgment of the Court of Appeals. By refusing to do so, the Supreme Court leaves in effect the decision of the Court of Appeals that all colored pupils must be admitted to Delaware public schools on a non - discriminatory basis.

The District Court will probably fix a date for the changeover from a segregated to nonsegregated public school system in Delaware.

Delaware's Integration Plan Refused

New York

U. S. Supreme Court Won't Review Appeal

WASHINGTON, Jan. 9 (AP). —TheSupreme Court today refused to review a decision striking down Delaware's grade-a-year school integration plan and ordering complete desegregation by the fall of 1961.

The decision striking down the integration plan was given by the United States Circuit Court in Philadelphia. It was appealed to the high tribunal by J. D. Bove jr., Delaware Attorney General.

The Supreme Court's denial of a review was unanimous. The court made no comment in announcing its decision, which lets the Circuit Court ruling stand unchanged.

Federal Judge Reversed

The Circuit Court's decision July 19 reversed Federal Judge Caleb R. Layton of Wilmington, Del., who had approved the state's plan to integrate one grade a year starting with the first grade.

The plan approved by the Wilmington judge, the Philadelphia court said, did not meet the Supreme Court's requirement for "all deliberate speed" in working out integration. The Layton-approved plan, which began in 1959, would have resulted in total school integration in Delaware by 1972.

Mr. Bove's appeal said the gradual but orderly plan of desegregation approved by Judge Layton was "a better reconciliation of the conflicting equities to be dealt with than the action ordered" by the Circuit Court.

In other actions today, the court:

Permits Consecutive Sentences in Extortion

Held that the Hobbs anti-racketeering act permits consecutive separate sentences for conspiracy to extort and the actual extortion involved in the conspiracy. The decision was in the case of Lawrence Callanan, a representative of a pipefitters union, who was convicted and sentenced on such a double count in St. Louis.

Rules N. L. R. B. Must Decide Union Dispute

Ruled unanimously that the National Labor Relations Board must make an independent ruling on who gets the work when two unions make competing claims to job assignments. The case developed from a dispute in New York between electrical workers and stagehands over who should do the lighting for a CBS-TV broadcast from the Waldorf-Astoria Hotel. As a result of the controversy the broadcast had to be canceled.

Will Decide Later On Barring Pickets

Agreed to decide after arguments later this year whether Federal courts may bar peaceful picketing by a union in violation of a no-strike agreement. In conflict are provisions of the Taft-Hartley Law and its predecessor, the Norris-La Guardia Act. The court action involved a Teamsters Union affiliate and six Wichita, Kan., trucking firms.

Upholds Lower Court In Pa. Taxing Case

Upheld a lower court decision that local taxing authorities may not collect $116,900 in 1954 taxes on government - owned property in New Castle, Pa., then under lease to United Engineering & Foundry Co. The taxes were imposed by three divisions of local government.

Delaware Negroes Vote Segregation

The Salisbury
Daily Times
Salisbury, Md.

DOVER, Del. (AP) — Negroes who bucked the National Association for the Advancement of Colored People to vote for a new segregated elementary school said they did so because of the problem of overcrowded schools.

Negroes in Sussex County, Delaware's southernmost county, voted 441 to 19 in favor of construction of a $543,000 school which must be segregated under state law, state officials reported. About 40 per cent of the eligible Negro voters were represented.

The NAACP had called for a "no" vote on the ground that construction would entrench segregation.

The school will have 367 pupils who now attend four schools which will be closed.

The legislature already has appropriated funds to build the school. The State Board of Education was not required to hold the opinion poll.

Delaware has been ordered by a federal court to admit to white schools by next September all Negroes who seek such admission.

NEGROES CROSS NAACP, VOTE FOR NEW SEGREGATED SCHOOL

Jackson Daily News
Jackson, Miss.

DOVER, Del. (AP) — Negroes who bucked the National Association for the Advancement of Colored People to vote for a new segregated elementary school said they did so because of the problem of overcrowded schools.

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DEC.
FEDERAL AID TO CHURCH SCHOOLS
CATHOLIC'S LEGAL STUDY OF FEDERAL AID

Excerpts From Catholics' Legal Study of Federal Aid to Church Schools

New York Times

By Special to The New York Times.

WASHINGTON, Dec. 14—*Following are excerpts from a synopsis by the National Catholic Welfare Conference's legal department of its study on the constitutionality of Federal aid to church schools. The conclusions to which this study comes are as follows:*

1. Education in church-related schools is a public function which, by its nature, is deserving of governmental support.

2. There exists no constitutional bar to aid to education in church-related schools in a degree proportionate to the value of the public function it performs. Such aid to the secular functionamay take the form of matching grants or long-term loans to institutions, or of scholarships, tuition payments, or tax benefits.

3. The parent and child have a constitutional right to choose a church-related educational institution meeting reasonable state requirements as the institution in which the child's education shall be acquired.

4. Government in the United States is wothout power to impose upon the people a single educational system in which all must participate.

Considerations Respecting Policy

Church-related schools were the original source of American popular education.

Today, Catholic schools (the largest of the groups of our church-related schools) are providing education (recognized by the states as meeting essential citizens needs) to four and a half million elementary school children and one million high school children—or around 13 per cent of the total school population of the nation.

For the year 1960 alone, the Catholic educational system saved American taxpayers one billion eight hundred million dollars.

However, one of the principal public benefits attributable to the Catholic schools is not economic but social. Typically, the Catholic schools are a meeting place for children of different economic and ethnic backgrounds and have usually not been located according to de facto zoning which divides neighborhoods racially.

They have historically proved an invaluable training ground to prepare citizens for full participation in a pluralist society.

If, as seems true in the current educational crisis, all of the country's means of education should be utilized to their fullest extent, then (unless constitutional considerations dictate to the contrary) sound policy requires that if the Federal Government offers large-scale aid to education, this should include education in private, nonprofit schools, church-related as well as nondenominational.

Considerations Respecting Constitutionality

Opponents of aid to church-related education rely principally on the language of the First Amendment that "Congress shall make no law respecting an establishment of religion."

This "no establishment" clause was aimed at preventing governmental transgressions upon religious liberty and not at preventing all relationships — even certain cooperative relationships—between church and state.

Certainly it was never understood to mean that religious institutions which perform public services are disqualified to receive compensation for them through the governmental organs of the society which has benefited by the services.

Neither was it understood to mean that government may proffer its assistance to the health and education of our citizens only through secularized governmental institutions.

A High Court's Ruling Cited

In Everson v. Board of Education, 330 U. S. 1 (1947), the Supreme Court held constitutional a New Jersey statute which provided the reimbursement to parents might constitutionally be made out of public funds for transportation of their children to Catholic parochial schools on buses regularly used in the public transportation system.

The underlying principle of the case is that government aid may be rendered to a citizen in furtherance of his obtaining basic citizen education, whether he obtains it in a public or a private nonprofit school.

Another Supreme Court decision relevant to this discussion is Pierce v. Society of Sisters, 268 U. S. 510 (1925). It involved the all-important rights of free choice in selecting educational institutions.

An Oregon statue (which had been promoted by the Ku Klux Klan and some allied groups) required that parents send their children only to public schools. The plan of the statute was to "Americanize" all children in what was described as the "public school melting pot."

Protestants, Jews and Catholics rose in opposition to the scheme. The Supreme Court of the United States ruled the statute unconstitutional as denying parential and child rights freely to choose education in nonpublic (including church-related) schools.

The court said that the legislature could not give the state a monopoly over education. Most significantly it said:

"The fundamental theory of liberty upon which all Governments in the Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public school teachers only. The child is not the mere creature of the state."

Legislation as Constitutional Precedent

No stronger answer is to be found to the argument that no aid may be afforded schools than the fact that the Congress his in numerous ways over the years deliberately provided such aid.

A list of forty-one such programs—all, by the way, consisting of grants to church-related institutions — was issued on March 28, 1961, by the Department of Health, Education and Welfare. One of these programs, the Surpus Property Act of 1944, has resulted in 488 grants of land and buildings to religious-affiliated schools belonging to thirty-five different denominations.

*

Having thus considered present questions of policy and, in addition, the governing constitutional law, some consideration should be given to probable future consequences of programs of massive Federal aid to public education which would exclude church-related education.

The predictable result would be a critical weakening of the latter, presaging the ultimate closing of many church-related schools. Since de facto, most parents would no longer enjoy the freedom to send their children to church-related schools, therefore practically speaking the tfreedom of parent and child protected by the Pierce decision would have been rendered meaningless.

Sees Belief Endangered

Moreover, a practical governmental monopoly of education would result. This would not only dangerously transform our free, pluralistic society but would also pose the most serious problems respecting freedom of belief.

Freedom of belief would be endangered by the fact that virtually all children would be compelled to attend state-run schoos. Values are inculcated in all schools, not only in those in whose curricula specific ethical or social concepts are advocated, but also in schools whose curricula distinctly omit such concepts.

The present argument over aid to education has unhappily become overclouded by opinions which have tended to engender the belief that the problems here involved are to b solved by simple, absolutist interpretations of the Constitution and by generalizations based thereupon.

Ours, however, is a constitution of rationality, not one of absolutes which paralyze social action.

The problems here involved are predominantly practical: No constitutional bar exists to the aid herein described to education in chruch-related schools. Constitutionally proper forms may be found in which such aid may be given.

Practicalities, not slogans, should govern the determinations to be made—determinations which give clear recognition to the rights of children, the enlargement of freedom, and preservation of the nation.

Keep on top of the news of advertising — accounts, campaign and personnel—by reading the advertising column in The New York Times.

CATHOLICS CALL SCHOOL AID VALID

The New York Times
P 1 Zc. 12-15-61
New York N. Y.

Law Aides Reject Kennedy's Stand That Limits Help to Parochial Classes

Excerpts from the statement on school aid, Page 33.

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, Dec. 14—Lawyers for the Roman Catholic Church issued an eighty-two-page challenge today to the Kennedy Administration's position on the constitutionality of Federal aid to church-related schools.

The lawyers contended that the Constitution permits aid on a much broader scale than the Administration has been willing to concede. They declared:

"There is no constitutional bar to aid to education in church-related schools in a degree proportionate to the value of the public function it performs. Such aid to the secular function may take the form of matching grants or long-term loans to institutions, or of scholarships, tuition payments or tax benefits."

The church's position on the constitutional issue was set forth in a memorandum made public by the legal department of the National Catholic Welfare Conference.

The memorandum was authorized by the Administrative Board of the National Catholic Welfare Conference. The board consists of the six cardinals and nine ither United States archbishops and bishops of the church.

The document was prepared by William B. Ball of Harrisburg, Pa., executive director and general counsel of the Pennsylvania Catholic Welfare Committee. It was done under the supervisio nof William R. Consedine, director of the legal department of the National Catholic Welfare Conference.

Mr. Ball was assisted by George M. Reed of the conference's legal department and the Rev. Charles M. Whelan, S. J., of the Georgetown University Law Center.

The Administration's position was laid down last March 28 in an equally voluminous memorandum prepared by the legal staff of the Department of Health, Education and Welfare in consultation with lawyers of the Department of Justice.

Loans Ruled Invalid

That document ruled out as unconstitutional "across - the - board" loans or grants to church-related schools. It also held that tuition payments for all parochial-school pupils would

The Administration's lawyers argued that any aid, to meet constitutional requirements, would have to be limited to a few special purposes closely related to the national interest and not involving religious instruction.

In a subsquent memorandum, they specifically upheld the constitutionality of proposals for long-term, low-interest loans to help finance the construction of parochial-school buildings for teaching science, mathematics, language and physical fitness.

The Catholic lawyers did not contend that it would be constitutional for the Federal Government to support the religious aspects of education in church-related schools. They said their study was "not concerned" with that question.

Calls Some Aid Valid

Rather, their point was that the Government "may assist all public service aspects of an educational enterprise."

They said that the Supreme Court recognized this principle in its landmark decision of 1947 in the case of Everson against the Board of Education.

In that case, the court held that public funds could be used for bus transportation of parochial school pupils without violating the First Amendment. It is this amendment that raises the main constitutional question at issue. The amendment says that "Congress shall make no law respecting an establishment of religion, or prohibiting the exercise thereof."

The Catholic memorandum said it would be feasible, through "the art of accounting," to draw a dividing line between costs attributable to secular aspects of education and those attributable to religious aspects.

The churc hlawyers conceded the possibility of indirect benefits to religious institutions in a program of aid limited to the non-religous aspects of education. But this is not forbidden by the First Amendment, they contended, "because important national interests in education are at stake."

The lawyers further said that loans, matching grants, tuition payments and tax benefits were "only some of the possible forms" of aid to education in parochial schools.

Wider School Aid Pushed by Ribicoff

p. 2 The Atlanta Constitution
Mon. 8-14-61

WASHINGTON (UPI) — Welfare Secretary Abraham Ribicoff said Sunday it would be tragic if Congress votes funds for so-called "impacted" schools areas and ignores the rest of President John F. Kennedy's aid-to-education program.

Ribicoff shied away from saying outright whether he would recommend that the President veto any separate bill reviving the popular program of federal aid for school districts crowded by the children of nearby federal employes.

Atlanta, Ga

But he said on a radio-TV program that "it would be tragic to just take care of those people who have need in impacted areas." He also said "it would be my hope that the impacted area would not by itself be the only educational measure."

QUOTED BY POWELL

At the height of the school aid controversy, Chairman Adam Clayton Powell, D-N.Y., of the House Education Committee quoted the President as saying he would reject any separate bill extending the impacted areas program.

Last Friday the Senate Labor and Welfare Committee approved a simple one-year extension of the program in a move that some administration backers said sounded the death knell for the rest of the big Kennedy school program.

However, an effort is being made in the House to combine impacted areas aid with the administration - backed $1.8 billion program for college construction and scholarships. That would still leave hanging a lot of the Kennedy program, now tied up in the House Rules Committee.

A newly-organized citizens committee appealed to the President Sunday to support the move to extend impacted areas aid. It said the program must be renewed at this session "or the momentum of our defense educational program will peter out."

The bipartisan committee is headed by magazine publisher George J. Hecht of New York. Among its members are former Democratic Sen. William Benton of Connecticut and two onetime Eisenhower welfare secretaries, Marion B. Folsom and Arthur S. Flemming.

LOG-JAM TO GO?

Sen. Thruston B. Morton, R-Ky., appearing on the radio-TV program with Ribicoff, predicted that the congressional log-jam on school aid would be broken before Congress adjourns.

Morton, former GOP national chairman, said the overwhelming majority of Congress is interested in aid for impacted areas and the college scholarship program. He thought some action might be taken in those fields. But the rest of the Kennedy program, most notably aid for public elementary and high schools, appeared to be bogged down, chiefly in what Ribicoff and Morton agreed was a heated religious and racial controversy.

Panel Reshapes School Aid Bill

The Atlanta Journal and the Atlanta Constitution

$325 Million for Building Asked Along With Rebates to Some States

P. 1 Sun. 8-27-61

By DOUGLAS KIKER
Atlanta Journal Washington Correspondent

1426 G Street, NW
Atlanta Journal Bureau

WASHINGTON, Aug. 26—There is a move afoot among some members of the House Committee on Education and Labor to revise the new compromise federal school aid bill and provide for cash rebates to states that have already carried out school construction programs.

Atlanta Ga.

As it now stands, the new bill, introduced Thursday by Rep. Frank Thompson of New Jersey, would provide for federal grants of $325 million for a one-year "emergency" school construction program.



Sam Rayburn

But committee members from states where substantial building programs have already been carried out are presently considering the possibility of adding a new rebate feature to the bill.

Under the proposal, the federal government would help states and local communities retire bond issues that were floated to finance recent school construction.

Georgia—which has been building classrooms at a rapid pace since 1950—would definitely benefit from such a change. Rep. Phil Landrum of Jasper, a member of the House committee, is expected to support it.

The House committee is headed by Rep. Adam Clayton Powell of New York. It meets next week to consider the new bill.

As introduced in the House Thursday, the bill would provide:

1. $325 million for school construction.

2. A one-year extension of federal aid, amounting to $201 million, for areas heavily impacted with government workers and military personnel.

3. A one-year extension of the student loan provision of the National Defense Education Act of 1958, at a cost of about $90 million.

A second bill, sponsored by Rep. Edith Green of Oregon, provides for a five-year, $1.5 billion federal program of loans and grants for college construction.

Both bills are expected to come quickly out of the Education and Labor Committee. But their future from that point is uncertain.

Speaker Sam Rayburn told President Kennedy last week he will make an effort to get them both passed.

Sun. 8-27-61

THE SPEAKER implied then that he will try to by pass the House Rules Committee and get the measures on the floor under a "calendar Wednesday" procedure.

Under this procedure, committee chairmen may bring up bills that the rules committee has failed to report. They must get the legislation acted on within the space of that single legislative day.

Everybody agrees it's "better to get a rule," if possible. The only trouble is, Southern Democrats, Republicans and one dissatisfied Roman Catholic banded together earlier in the session to block a larger, more comprehensive bill requested by the President.

The feeling now is that the new compromise measure might just make it out of the rules committee. The new bill does not provide any federal participation in teacher pay.

Rep. Powell has called a Tuesday caucus for the 19 Democratic members of his committee.

• • •

THE ANNOUNCED purpose is to "seek the unanimous support" of the group. What that really means, reliable Capitol Hill sources say, is that Mr. Powell is afraid some of the more liberal Democrats—such as Rep. Roman C. Pucinski of Illinois—might try to beef up the new bill and, in effect, make it a duplicate of the old one.

That would just lead to another impasse, in the view of House leaders.

Veterans Aid Tag Tangles School Bill

Montgomery Advertiser

WASHINGTON (AP)—A Senate subcommittee Friday tacked a $2-billion veterans program to the defense education bill—thus adding a major new complication to the already tangled legislative situation on federal aid to education.

The Senate Education subcommittee, in a surprise, last-minute action approved a plan by Sen. Ralph W. Yarborough (D-Tex.) to provide college educations for servicemen discharged since Jan. 1, 1955. These now number about 4.25 million.

Estimated to cost $2 billion over a 12-year period, this program was approved earlier by the Senate in 1959 but cold-shouldered by the House.

It was opposed by the Eisenhower administration and that opposition has been continued by the Defense Department and the Budget Bureau under President Kennedy even though Kennedy as a senator voted for the plan in 1959.

First reaction from the House side was that if the Senate insists on including the veterans' college education provision in the defense education measure the whole bill would be in grave danger of defeat.

Before completing action on the bill to extend the 1958 National Defense Education Act, the Senate subcommittee approved provisions for loans to parochial schools to build classrooms.

SIMILAR CHANGE

A similar change in the original education act was voted by the House Education committee Tursday.

As first passed, the act provided for loans to parochial and other private schools for scientific equipment but not for classroom construction.

Aid for church-operated schools was kept out of the general, four-year $2.65-billion aid to education bill despite heavy pressure from Roman Catholics and some other groups.

This bill, providing for elementary school construction and school operating funds, including teacher salaries, has passed the Senate but has not been sent to the floor in the House.

BAD TO WORSE

Administration leaders, in an obvious effort to placate church opposition, agreed to extension of the parochial school aid in the Defense Education Act. Even this step admittedly has jeopardized chances for final passage of the main aid to education measure for elementary schools.

Friday's sudden introduction of the controversial veterans' education plan just made a bad matter worse as far as administration leaders are concerned.

Despite Kennedy administration opposition to the Yarborough bill, Sen. Wayne Morse, D-Ore., the Education subcommittee chairman, said it was endorsed in the 1960 Democratic platform.

Morse praised the final product of his group's work as "a good bill" and predicted it would be approved in the full Labor Committee which meets on it Tuesday.

14d(1) 1961 FEDERAL AID

Fight Waged To Salvage School Aid

WASHINGTON (AP) — House Democrats took a new tack Wednesday in an effort to salvage as much as possible of the Kennedy administration's school-aid program.

They decided to try to push the program through in two sections, instead of the single package proposal advanced last week by Secretary of Welfare Abraham H. Ribicoff.

The decision was reached at a meeting in Speaker Sam Rayburn's office after Rayburn returned from a White House conference with President Kennedy.

All Rayburn would say about his talk with Kennedy was that "we came to some conclusions insofar as we could."

SPLIT PACKAGE

Rep. Adam Clayton Powell, D-N.Y., told newsmen after a subsequent meeting in Rayburn's office that it was decided to split the four-part Ribicoff package into two bills.

One bill will contain aid to impacted areas — school districts having a high percentage of federal employes — and public elementary school construction.

BYPASS COMMITTEE

The second bill will contain a $2-billion program of aid to higher education.

A fourth part of the Ribicoff package, extension of the National Defense Education Act, will be added to one or the other bill after another meeting Thursday.

Powell, who is chairman of the House Education Committee, said backers of the program then will attempt to bypass the Rules Committee, which has blocked the original Kennedy [illegible] and bring the two bills dir[illegible] to the floor. He said this w[illegible] involve some tricky parliamentary maneuvering that has succeeded only infrequently in the past.

While the aid to higher education part of the program is the most costly, it would be spread over five years. The money would be used for federal scholarships and for building academic facilities.

The sponsor, Rep. Edith Green D-Ore., has been pushing for separate handling of the higher education proposal.

The impacted areas proposal is highly popular among House members. It would provide approximately $300 million for more than 300 congressional districts for one year.

ONE-YEAR PROGRAM

The public elementary school construction portion would provide a one-year, $325-million program, using 40 per cent federal funds and 60 per cent matching local funds in school districts which have exhausted their tax resources.

The extension of the National Defense Education Act would total $90 million for loans, not scholarships, to college students. The aim of this program is to strengthen the teaching of mathematics, science and languages. If the students go into teaching for five years after graduation the loan is forgiven.

The total cost of the program, including the five-year higher education proposal, would be about $2.6 billion. This contrasts with close to $8 billion originally proposed by the administration.

The original administration school package got stuck in the House Rules Committee when Rep. James J. Delaney, D-N.Y., a Roman Catholic, cast a key vote against the bills. He said they discriminated against parochial schools.

Asked if the latest version met his objections, Delany said today, "I want to see what the bills say before I comment."

RIBICOFF DEMANDS SCHOOL BILL NOW

Tells N. E. A. Compromise Is Only Hope This Year

By CABELL PHILLIPS

Special to The New York Times.

WASHINGTON, Aug. 21 — Abraham A. Ribicoff said today that the Administration's compromise education bill "is the only possible one that provides a basis for any legislation this year."

If such legislation is not passed this year, he said, prospects for subsequent years are poor indeed.

The Secretary of Health, Education and Welfare addressed the Legislative Commission of the National Education Association. It is trying to save the Administration's bill.

Provisions of Compromise

The measure has been blocked in the House Rules Committee because of a controversy over whether church-supported schools should receive Federal funds. Last week the Administration offered a compromise.

The compromise would extend for one year, grants programs providing to schools serving large concentrations of Federal employes and loans for college students. It would also provide $325,000,000 for public school construction and $1,600,000,000 for grants and loans to colleges and about 40,000 college scholarships.

"I know there are many here who are not satisfied with this proposal," Mr. Ribicoff declared. "You have been fighting long and hard to provide assistance for teacher's salaries. But the hard truth is that the house of representatives is in no mood to approve Federal aid to teachers' salaries.

"The hard truth is that the program I have outlined is the only possible one that provides a basis for any legislation this year.

"And one thing: If all of the major controversies of this year are not resolved by the passage of this program at this session, I firmly believe that next year the controversies will be more bitter and the prospects for success will be worse. And I see little cause for optimism in the years after that if we fail to make this start now."

Senate Group Acts

Meanwhile, a Senate subcommittee on education completed brief hearings on a college aid bill. This is part of the original group of school bills submitted by the Administration.

It was indicated that the group would give swift approval. However, its House counterpart is one of the bills now blocked in the Rules Committee. Thus, today's action is believed to have little significance. Another of the original bills would provide $2,284,000,000 in grants for public schools for construction and for teacher's salaries. The third bill would extend the program of aid to communities with large Federal establishments and provide loans to parochial and other private schools.

In testimony before the Senate group today, a spokesman for the American Civil Liberties Union expressed the belief that Federal loans to church supported colleges and universities might be constitutional if the schools did not indoctrinate their students with religious tenets.

But grants or loans to institutions "which exist expressly in order that particular religious doctrines will pervade all subjects taught" would raise serious constitutional questions, the organization said.

HOUSE UNIT VOTES 375 MILLION TO AID PRIVATE SCHOOLS

Move to Extend the Defense Education Act May Free Public-Institution Bill

By TOM WICKER

Special to The New York Times.

WASHINGTON, June 27—A House committee approved today a bill that would extend the National Defense Education Act and provide $375,000,000 in loans for parochial and other private schools.

Approval of the measure in the Education and Labor Committee was by a vote of 19 to 11, with one Republican joining eighteen Democrats in the majority. The eleven opponents were Republicans.

Clearance of the bill with its provisions for $125,000,000 in private school loans in each of three years apparently was a necessary step toward freeing the Kennedy Administration's public school aid bill from the House Rules Committee.

Rul- Panel Firm

The public school measure would provide $2,484,000,000 in grants to the states for school construction and teachers' salaries. A majority of the Rules Committee has refused to send the public school measure to the House floor until the committee has in hand the bill on the National Defense Education Act with its private school provisions.

Those taking this stand include two Democrats, who are Roman Catholics, two Southern Democrats, who are Protestants, and five Republicans, all Protestants.

Speaker Sam Rayburn of Texas, who was pessimistic about school legislation last week, emerged from a legislative leaders' session with the President today in a more hopeful mood. He was quoted as having said on the White House steps that a bill would pass.

Adds a Qualification

At his Capitol office later, he told newsmen that he had not quite said that. "I said our committees were working and I hoped they would work out something we could pass," Mr. Rayburn explained.

It was not clear tonight whether the Education and Labor Committee's approval of the private school loans would result in Rules Committee clearance for either or both bills. One of the two Catholics, Representative James J. Delaney of Queens, said last week that he would not vote for the public school bill until the Defense Education Act bill had been cleared.

It is doubtful that this last measure can be approved in the Rules Committee. All the committee's Republicans and perhaps as many as five of its Democrats are reportedly opposed to it.

No action of any kind is likely in the Rules Committee before late next week. Most Congressmen will be out of the city over the Fourth of July holiday.

The Defense Education Act bill approved today is a complicated measure, in which the proposed expenditures add up to considerably more than $1,829,000,000. Some of the funds would be spent over three years, some over four and some over five.

An exact total is impossible to reach. Up to 5,000 Federal fellowships are included, but all might not be awarded in a particular year, and the amounts vary. Whatever final cost results from the scholarship program would have to be added to the $1,829,000,000 figure.

Survives 3 Assaults

The private school loans were the most controversial provision of the N. D. E. A. bill, and a series of amendments concerning them had to be dealt with in



Associated Press Wirephoto

DISCUSSES MEETING: Speaker of the House Sam Rayburn at news conference outside White House after legislative leaders conferred with the President.

the Education Committee's day-long session. The loans survived three Republican assaults.

Representative Albert H. Quie of Minnesota moved first to eliminate the loans. His motion lost, 17 to 8, with five abstentions. Fifteen Democrats and two Republicans, Representatives Edgar W. Hiestand of California and Charles E. Goodell Jr. of upstate New York, were in the majority.

Mr. Quie then moved that none of the loans could go to segregated schools, a maneuver generally regarded here as being in the nature of a crippling amendment since it removes all possibility of Southern Democratic support. The motion lost, 17 to 11.

Representative Peter Frelinghuysen Jr. of New Jersey offered an amendment to limit the private school loans to $125,000,000 a year for three years. Before the vote, Mr. Quie moved to cut this limit to $1 a year. The Quie substitute was defeated, and the $125,000,000 limit was approved, both actions by voice vote.

Amendments Voted

Three amendments offered by Democrats were approved. One, by Cleveland M. Bailey of West Virginia, would have the effect of preventing the loans from going to private schools recently established in the South, notably in Prince Edward County, Va., to avoid court desegregation rulings.

Mr. Bailey's amendment would limit the loans to private, nonprofit schools in full operation during the last four years. He said his purpose was to prevent "fly-by-night" private schools from springing up to claim loan funds.

Adam Clayton Powell Jr. of Manhattan, the committee chairman, said the effect on southern private schools established in the last four years was a "fringe benefit."

The Bailey amendment was adopted unanimously, as was one by Roman C. Pucinski of Illinois. It would prevent any private school classroom constructed with loan funds from being used for religious purposes.

The funds are restricted to the construction of classroom and laboratory facilities for the teaching of mathematics, sciences, foreign languages and physical fitness. In the last category, gymnasiums and cafeterias may be constructed.

Limit on Amount

An amendment offered by James G. O'Hara of Michigan limited to $12,500,000 a year, 10 per cent of the total, the amount of the loan funds that could be used for the physical fitness facilities. It was adopted with only Representative Pucinski dissenting.

An amendment by Dave Martin, an Iowa Republican, to eliminate the physical fitness program was killed, 16 to 12.

Another controversial matter was disposed of unanimously when Hiestand offered a motion to do away with the so-called "disclaimer affidavit" previously required of fellowship recipients. The affidavit was a declaration that the recipient had had no communist affiliations.

In its place, the committee approved a $10,000 fine or a five-year prison sentence for anyone accepting a fellowship who had had such affiliations.

Three States Tops In U.S. School Aid

The Commercial Appeal p-5

Mississippi And Arkansas Are Two Of Them

Memphis, Tenn.

WASHINGTON, May 26. — (UPI) — Mississippi, Arkansas and South Carolina would lead all other Southern states in amount of Federal money per child provided in the public school aid bill passed Thursday night by the Senate.

Each of the three states would get $27.74 per school age child. The national average would be $18.84. Sept. 5-27-61

The Mid-South breakdown:

State	Amt.	Amt. per Child
Alabama	$23,961,023	$26.65
Arkansas	12,843,811	27.74
Kentucky	21,370,401	25.81
Louisiana	22,162,149	24.30
Mississippi	17,448,720	27.74
Tennessee	23,483,592	25.25

The bill includes an extension of the program under which the Government pays funds to school districts that have enrollments swollen by nearby military bases or other Federal installations.

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FEDERAL AID

Democratic Leader Backs Aid To Parochial Schools

WASHINGTON (AP) — House Democratic Leader John W. McCormack, D-Mass., Sunday broke with the Kennedy administration on the issue of federal aid to parochial and other private schools.

An endorsement of such aid by McCormack represented the first public disagreement among Democratic leaders over the highly controversial issue.

Kennedy, a Roman Catholic, has voiced opposition to the federal government helping Catholic or other private schools build new classrooms. The administration's education bill would provide aid only to public schools.

In placing his proposals before Congress, Kennedy said he was omitting any allocation for church schools "in accordance with the clear prohibition of the Constitution."

McCormack — like Kennedy, a Roman Catholic—said there is no constitutional question involved in the federal government extending loans for construction or renovation of private schools.

"We're helping our educational system and certainly when we put through a bill to help public schools it has an unintentional effect upon the private school system," the House Democratic leader said. "It makes it more difficult for them to operate and function."

Aid to private schools is justified "and I would support it," McCormack said in a televised discussion with Sen. Kenneth B. Keating, R-N. Y. The program was taped for use by New York stations.

McCormack did not say whether he would offer an amendment calling for loan aid to private schools.

An attempt to include aid to private schools in an education bill considered by the House last year was ruled out of order on a technicality.

The House and Senate passed widely different versions of the education bill then. The measure died, however, when the House Rules Committee refused to clear the bill for a House-Senate conference to iron out differences.

Last week, the hierarchy of the Roman Catholic Church in the United States decided to oppose any school aid bill that did not help private schools.

The cardinals, archbishops and bishops said they would press for an amendment to the Kennedy administration proposal in hopes of adding provisions for long-term federal loans to private schools.

Some Real Progress On School Aid Bills

Bills calling for greater Federal aid to education advanced in Congress last week but not to the point of passage.

Last February 20 President Kennedy sent to Congress one of his first and most urgent messages. It was in fulfillment of many campaign promises and it was known to be close to John F. Kennedy's heart as a Representative, Senator and President.

"Our progress as a nation can be no swifter than our progress in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this all require the maximum development of every young American's capacity. . .

"More effort will be required on the part of students, eachers, schools, colleges and all 50 States—and on the part of the Federal Government."

The effort he envisioned has by now assumed the form of proposed legislation:

- Grants of $2.5 billion over three years to be used by the States primarily for the construction of elementary and high school classrooms and for boosting teachers' salaries.
- Loans of almost $1.8 billion to colleges for construction of dormitories, classrooms, laboratories, libraries and other academic facilities.
- Federal scholarships for needy students.



—Perts Drawing

SENATOR MORSE
School aid bill manager.

The Controversy

More support of education sounds indisputable but it is so only in theory. Actually, as complex and discouraging a set of pressures as any legislator could imagine has plagued such bills in recent years. One of the most virulent issues has been over the question of public help to private (in most cases, religious) schools. The issue arose with new vitality as soon as the Kennedy program was submitted. The stand of the Roman Catholic archbishops who spoke out in favor of such aid made Mr. Kennedy's position more complicated. Legislators lined up for and against and the big debate was on.

The question was whether to meet the issue head-on and tie the private schools question to the main education aid bill in an open, bull-dozing maneuver to force a decision, or whether to keep the most controversial point out of the fight. Advocates of general school aid urged the latter course.

Last week a decision was made which, it was agreed, should do much to insure some kind of decent bill at the session. The Senate's Democratic leaders formally decided to seek separate bills for public and for private school aid. Such a separate bill doubtless will include provisions for Federal loans to parochial and other private schools to finance construction of classrooms and laboratories for science, mathematics and foreign languages. Then the question of whether Government aid should be extended to religious institutions can be aired —and it will be—at great length.

The procedure, apparently, will be to add the private schools' benefits to a bill calling for extension and enlargement of the 1958 Defense Education Act which is already in effect and under which much has already been done. (See George Oakes' story on Improvement of Science Teaching on Page D-3.)

Amendments Lose

But those who hailed the agreement on the separation of the two school issues did not mean to say that all would be clear sailing for the original bill. Rows arose in the Senate immediately over everything from where the money would come from and how it would be allocated, to whether schools which practice segregation would be allowed to benefit.

Several crippling amendments were beaten down in the Senate debate but not before tempers had been aroused to such an extent that passage was not possible last week despite longer hours. Senator Morse, Democrat of Oregon, floor manager of the bill, predicted passage this week, however.

On the House side the Education and Labor Committee approved the bill to authorize loans and grants for scholarships and construction of academic facilities in colleges and universities. The general aid bill (similar to the one the Senate was debating) was before the committee, too, but whether it would come up ahead of the college bill wasn't certain.

Of perhaps more interest than the construction angle in the college bill was the action on the scholarships. The original Kennedy proposed had been for four-year Federal scholarships averaging $2,800 each, for 212,500 prospective students, and a payment of $350 to the college for each student attending.

14d(1) 1961

FEDERAL AID

U.S. fund denial to jimcrow schools 'under study'—JFK

By LOUIS LAUTIER

WASHINGTON D.C. (NNPA) — The question of withholding federal funds from schools which are operated on a segregated basis is under study, President Kennedy disclosed at his news conference Wednesday.

While neither the question nor answer related specifically to elementary and high schools, Mr. Kennedy's statement is expected to have some bearing on whether Representative Adam Clayton Powell of New York, chairman of the House Education and Labor Committee, will offer the Powell amendment to the $2,300,000,000 school - aid bill President Kennedy sent to Congress on Feb. 20.

The Powell amendment would deny federal funds to public school systems which maintain segregated schools.

Mr. Powell has said that he would not offer his amendment if he were assured that federal funds would be withheld from segregated school districts by either executive order of the President or administrative action of the Secretary of Health, Education and Welfare.

* * *

ABRAHAM RIBICOFF, Secretary of Health, Education and Welfare, however, left Mr. Powell no choice. The Secretary said neither he nor the President has authority to withhold federal funds from segregated school districts in the absence of specific language in a congressional enactment directing such action.

The question asked Mr. Kennedy Wednesday related to the report of the Civil Rights Commission to the President and the Congress in January.

The commission recommended that the Federal Government, by executive or congressional action, withhold federal funds in grants-in - aid programs from publicly supported institutions of higher learning.

Asked how he felt about this proposal, Mr. Kennedy said such a recommendation was not included in the federal - aid - to - education bill which he had sent to Congress, but the subject was under consideration as a part of an overall study of where the Federal Government might usefully place its power and influence to expand civil rights.

He revealed that he plans to issue an executive order in a few days which would apply to employment both inside and out of government.

PRIVATE SCHOOL LOAN AID RAISED

McCormack Differs with Kennedy Stand

BY JOSEPH R. COYNE

WASHINGTON (AP) — House Democratic Leader John W. McCormack, D-Mass., Sunday broke with the Kennedy administration on the issue of federal aid to parochial and other private schools.

An endorsement of such aid by McCormack represented the first public disagreement among Democratic leaders over the highly controversial issue.

Kennedy, a Roman Catholic, has voiced opposition to the federal government helping Catholic or other private schools build new classrooms. The administration's education bill would provide aid only to public schools.

In placing his proposals before Congress, Kennedy said he was omitting any allocation for church schools "in accordance with the clear prohibition of the Constitution."

NO BARRIER—M'CORMACK

McCormack — like Kennedy, a Roman Catholic—said there is no constitutional question involved in the federal government extending loans for construction or renovation of private schools.

"We're helping our educational system and certainly when we put through a bill to help public schools it has an unintentional effect upon the private school system," the House Democratic leader said. "It makes it more difficult for them to operate and function."



REP. JOHN W. M'CORMACK
Disagrees with President

Aid to private schools is justified "and I would support it," McCormack said in a televised discussion with Sen. Kenneth B. Keating, (R-N.Y.) The program was taped for use by New York stations.

McCormack did not say whether he would offer an amendment calling for loan aid to private schools.

An attempt to include aid to private schools in an education bill considered by the House last year was ruled out of order on a technicality.

KILLED BY RULES GROUP

The House and Senate passed widely different versions of the education bill then. The measure died, however, when the House Rules Committee refused to clear the bill for a House-Senate conference to iron out differences.

Last week, the hierarchy of the Roman Catholic church in the United States decided to oppose any school aid bill that did not help private schools.

The cardinals, archbishops and bishops said they would press for an amendment to the Kennedy administration proposal in hopes of adding provisions for long-term federal loans to private schools.

Governor Backs U.S. School Aid

Vandiver Endorses Kennedy Program

By REG MURPHY
Constitution Political Editor

Gov. Vandiver gave his support Thursday to President Kennedy's federal aid to education program provided the bill passes without any direction as to how states must spend the funds.

The governor said, "I agree with the President of the United States" that the tax funds should not be sent to church-supported schools.

Kennedy has appealed to Congress to pass his federal aid program without strings and said he hopes the different religious groups will not create such a split over the bill that there will be animosity after the congressional action.

Vandiver said, "If we can have aid with no strings attached, then we would like to have it."

Vandiver said he approved the action of the Georgia House of Representatives in passing a resolution supporting no-strings-attached federal aid as one of the closing acts of its 1961 session.

That vote overturned a long history of legislative opposition to federal aid programs. It was prompted in part, at least, by the Legislature's struggles to find money for teacher pay raises.

Several Georgia Congressmen reportedly are ready to break with Southern Democratic tradition and vote for the federal aid bill. The bill would provide the funds for a $700 pay raise for Georgia teachers.

Meanwhile, Vandiver said the president-elect of the Georgia Education Association has been spreading "falsehoods" about his attitude toward teacher pay raises.

Carl V. Hodges of Fitzgerald, who will take over as GEA president during the annual convention which opens here Wednesday, was quoted as telling Tift County school teachers Vandiver did not intend to grant any teacher raises during the remainder of his term.

"This is a wholly false statement," Vandiver said. "Mr. Hodges knew that it was false when it was uttered and that it was purely political in nature."

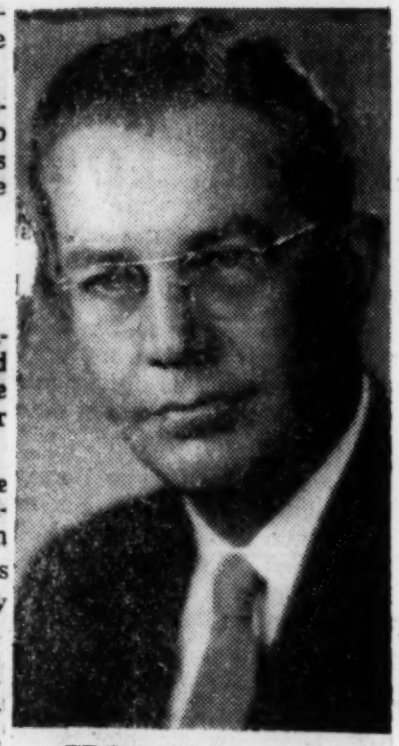
Vandiver said his original appropriation bill contained a $400 provisional pay raise for teachers over the next two years and that the final bill he and Lt. Gov. Garland Byrd sponsored provided a firm $800 raise.

"I would remind all that had not the administration given its full support to the Senate version there would not have been any appropriations bill and it would have died in a deadlocked conference committee," Vandiver said.

Thus, the political issue seemed to be drawn again for a fight within the GEA during its annual convention. At last year's convention, after Vandiver had granted a $200 increase in teacher pay, the delegates refused to pass a resolution thanking the governor.

The governor made no pretense in private conversations with GEA leaders that he considered it anything but ungratitude.

In his press conference Thursday, the governor said the Criminal Investigation Division will continue in the future despite the fact the director, Robert H. Hall, was sworn in Thursday as a member of the Georgia Court of Appeals.



CRITICIZES GEA
Gov. Vandiver

NAACP Repeats Stand Against Money For Segregated Schools

New York — NAACP members were urged this week to make known to Congress their objection to any Federal funds going to states where the school desegregation ruling is being defied. They are to make it plain that any Federal aid to education should provide for withholding of money from states and localities which refuse to desegregate.

Members were specifically called upon to urge their Congressmen and Senators "to support a bill amended to include this provision."

The directive was sent on March 1 by Roy Wilkins, executive secretary, to the Association's 1,434 units in 45 states.

He called the attention of NAACP members to the proposal which President Kennedy has sent

to Congress for Federal aid to education in the states, in the overall amount of 5.6 billion dollars. He noted that bills embodying President Kennedy's proposal will go to committees in the Senate and House for hearings before being reported to the floor.

In connection with the President's proposal, Wilkins quoted from Resolution 12 adopted at the NAACP's 51st annual convention in St. Paul, Minn., last June. Entitled "Withholding Federal Funds From Segregated Schools," it he emphasized, the official position of the NAACP.

Uphill fight starts to save school bill

BY JOHN BECKLER

WASHINGTON, June 21 — (AP) — Administration forces begin an uphill struggle today to rescue President Kennedy's school bill from the sea of controversy that has all but swamped it in the House.

Democratic House leaders looked to the president to do some personal pushing on the $2.5 billion measure.

Kennedy and House Speaker Sam Rayburn were dealt a setback yesterday when the rules committee refused to send the bill to the floor as Rayburn wanted.

Instead it voted 9 to 6 to delay any action until the house education committee sends another bill—the National Defense Educational Act—with loans for parochial school included.

THE SUCCESS of the rules committee in blocking action illustrated, in capsule form, the potent forces allied against the administration bill. The measure calls for a three-year program of grants to the states for either public school construction or teachers' salaries, as the states desire.

The nine-man majority was composed of five Republicans, two Southern Democrats and two Northern Democrats, both Roman Catholics representing heavily Catholic districts.

Republicans in the House are nearly unanimously opposed to any school bill. The opposition of the Conservative Southern Democrats is heightened by their concern that a federal education program would hasten integration in public schools.

Many Catholic congressmen are under pressure from their constituents to withhold support from public school aid until they are assured parochial schools also will get some form of aid.

In addition, the bill faces heavy attack once it gets to the floor from members who oppose the provisions for teachers' salaries but favor the construction program, and those who object to the formula under which poorer states will receive a greater proportion of funds than richer states.

Such formidable opposition has kept the House from ever giving final approval to a general aid to education bill. Supporters of the current measure are now agreed that only vigorous action by the administration can change that pattern.

House and Senate Democratic leaders met at the White House yesterday for talks that focused on the school bill.

Rep. Adam C. Powell, (D., N. Y.), chairman of the House education committee, who Monday called for the administration to step up its backing, told a press conference yesterday he saw a change in the atmosphere shortly after the White House meeting.

Powell said majority leader John W. McCormack, (D., Mass.), who had shared the view of the Catholics on the rules committee that the parochial school issue should be acted on first, has now agreed to let the public school bill be called up first — after both have won rules committee approval.

Powell said he hopes to speed up action by his committee on the Defense Education Act and get it to the rules committee next week.

What happens when the bill hits the floor, however, is anybody's guess. Powell's guess is that a school construction bill, but without teachers salaries, will pass.

Fight Perils All U.S. Aid To Schools

WASHINGTON (AP)—Two federal programs that provide financial aid for a third of the nation's public school children are threatened with extinction in the bitter House fight over federal aid to education.

As the threat becomes generally known, administration leaders hope it will produce a public clamor that will end the tug of war now slowly strangling President Kennedy's entire education program.

The two programs threatened with extinction are Public Laws 815 and 874.

U.S.-IMPACTED AREAS

They were first enacted in 1950 to help local school districts meet the burden of educating children whose parents work for the federal government.

Key portions of the law expire Friday and authorization to extend them for three years is included in the $2.5-billion public-school bill now seemingly hopelessly mired in the House Rules Committee.

It was no accident that continuation of the two programs was made part of the public school bill. In the 100 years of their existence they have proved popular with Congress and invaluable to school authorities.

$200 MILLION LOSS

More than $2 billion has been made available for building schools and paying teachers. The aid now goes to 3,821 school districts with 10.2 million pupils. The districts will lose $200 million next year if the programs die.

Of greater importance in the calculations of House leaders is the fact the aid goes to 313 congressional districts. This means more than 70 per cent of the representatives have a direct stake in seeing the programs continued.

Some of the biggest recipients are districts whose representatives have fought other school bills and are opposing this one.

BEARING FRUIT

They include five members of the Rules Committee: Rep. Howard W. Smith, D-Va., chairman, whose district receives $500,000; Rep. William M. D-Va., chairman, whose district receives $1 million; and three Republicans, Reps. William H. Avery of Kansas, $1.2 million; Clarence J. Brown of Ohio $916,554 and Katharine St. George of New York, $328,733.

With the school bill now bottled up in the Rules Committee, the strategy of combining the new and old programs is bearing fruit.

School superintendents are firing telegrams to their congressmen saying that school budgets for the fall semester can't be drawn until the two laws are extended. In case any superintendents neglected to write, the House Education Committee has sent the 313 congressmen involved a notice showing how their districts are affected.

The Republican leadership has not been caught napping by the strategy. It has demanded separate legislation.

SCHOOL-AID DOOM SIGNALED BY VOTE OF RULES GROUP

Kennedy Dealt Setback by 8-to-7 Decision Tabling All 3 Pending Bills

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, July 18—The House Rules Committee dealt an all-but-fatal blow today to the Administration's $2,484,000,000 school-aid bill.

The committee, through which all major legislation is ordinarily channeled, voted 8 to 7 to table the bill and the two other pending measures to aid education. As a consequence, prospects for House action this session on any of the three bills faded almost to the vanishing point.

There are several ways to bypass the committee, but all are cumbersome, time-consuming and unlikely to succeed without the strong support of the House Democratic leadership. All signs indicated that the leadership had decided to put the whole matter over until next year.

Kennedy Sees Leaders

Even before the Rules Committee's action, Speaker Sam Rayburn, Democrat of Texas, told his daily news conference that it was "very doubtful whether we will get any school bill this year."

He made the comment shortly after the weekly meeting of Democratic Congressional leaders with President Kennedy.

Mr. Rayburn said that the question had been mentioned "only incidentally" at the White House conference. Another legislator said that the Speaker had given President Kennedy a "very pessimistic" report on the outlook for school aid.

The key vote in the Rules Committee was cast by Representative James J. Delaney, Democrat of Queens and a militant advocate of Federal aid to parochial schools.

He joined the panel's five Republicans and two conservative Democrats, who oppose Federal aid to education on principle, to produce a majority for shelving the three pending bills. On the losing side were seven Democrats with whom Mr. Delaney ordinarily votes to provide a majority for Administration bills.

Delaney Standing Firm

After the meeting, the New Yorker reiterated his contention that the Administration's school-aid bill constituted "discrimination" against parochial schools because it would authorize grants for public education only.

A single motion by Representative William M. Colmer, Democrat of Mississippi, consigned all three measures to a committee pigeonhole.

One of the three bills was a relatively uncontroversial bill authorizing $300,000,000 in loans and grants to promote higher education.

The third called for $375,000,000 in loans for private-school construction as part of an extended National Defense Education Act. This was designed to meet Roman Catholic demands for some financial help to parochial and other private schools if Federal aid were provided for public schools.

The private-school loan provisions of the defense education bill apparently satisfied some Catholic spokesmen, but Mr. Delaney called them "just a little bit of a sop" to pro-schools.

While he has not said so publicly, Mr. Delaney's uncompromising stand apparently reflects recognition of the probability that a defense education bill containing authority for private-school loans could not win a Rules Committee majority. At least one of the committee's three Southern Democrats who normally support the Administration would be likely to cast the pivotal vote against it.

Representative Delaney is one of three Catholics on the Rules Committee. All three represent districts with heavy Catholic populations. The two others voted against tabling the bills. They are Ray J. Madden of Indiana and Thomas V. O'Neill Jr. of Massachussetts, both Democrats.

As soon as the Rules Committee adopted Representative Colmer's tabling motion, he and Representative Clarence J. Brown, Republican of Ohio, cemented defeat of the education bills by a parliamentary maneuver rarely used in House committees.

Cannot Be Called Up

Mr. Colmer asked for immediate reconsideration of the vote, and Mr. Brown asked that his motion also be tabled. This was done by the same 8-to-7 vote.

Another motion to reconsider is barred by the committee's rules. Thus, none of the three bills can be called up again.

In their public statements, Administration supporters refused to concede that the battle had been lost.

"I don't think it is hopeless," said Representative Adam Clayton Powell Jr. of Manhattan, chairman of the Education and Labor Committee. "There's plenty of time left in this Congress. We will concentrate first on passing the foreign-aid bill, and then we can move one way or another on the school bill."

Representative Frank Thompson Jr., Democrat of New Jersey and chief sponsor of the school bill, said that the prospects were still "moderately good" for House action this session.

"We haven't given up hope," said Representative Richard Bolling of Missouri, leader of the Administration Democrats on the Rules Committee.

One possible approach mentioned by Mr. Powell and others is to bring the measure to the House floor under what is known as "calendar Wednesday" proceedings.

Could Block Action

Under this procedure the roll of House legislative committees may be called any Wednesday in alphabetical order and the chairmen may present bills for consideration of the House even though they have not been cleared by the Rules Committee. Any bill called up, however, must be disposed of before adjournment for the day. Opponents using dilatory tactics can often block action.

Bills can also be brought to the floor by a petition signed by 219 members, a majority of the House. School-aid proponents were doubtful that the necessary signatures could be obtained.

There was some discussion today of trying to move the Senate-approved version of the Administration's school-aid bill to the floor in stripped-down form. If this could be steered through the House, a compromise might be devised in Senate-House conference providing Federal grants at least for construction of public schools.

Under the Administration bill, the states could use the grants for construction, payment of teachers' salaries, or both.

Reliigon Spotlighted Again as Prime Issue

Maneuvers in House Put School Aid in Peril

By Richard L. Lyons
Staff Reporter

The always difficult school-aid issue has become so battered by the jockeying for position in the House that it is in serious danger of being maneuvered to death.

This feeling was expressed by several House leaders yesterday as marathon bargaining over which bill should go first continued and as religion was spotlighted again as a prime issue.

Chairman Adam Clayton Powell (D-N.Y.) of the House Education Committee had predicted passage of the public-school-aid bill by 30 votes when he left for a labor meeting in Europe 10 days ago. Surveying the scene on his return yesterday, he called it a "total mess."

"I don't think we can pass it this year unless someone blows the whistle," said Powell. He indicated this meant that the White House must move in and get things straightened out.

Others were not quite so gloomy. But one of the most sensitive pulsetakers in the House said he thought hopes for passage of the 2.5-billion-dollar public-school-aid bill had deteriorated measurably in the past week or so. He had never given the bill more than an even chance.

Another said he thought the bill had not yet lost any votes, but it would soon unless someone took charge and got the public-school bill moving—before a private-school bill hits the floor.

A number of House members who aren't very keen about Federal aid to schools anyway reportedly have become so fed up by demands and counterdemands of Catholics and public-school supporters that they would be glad to see the whole package go down the drain.

Some northern Catholics, normally supporters of the Administration, may oppose public-school aid unless their bill passes first. But most Southerners and some Westerners presumably would be lost to the public-school bill if that happened.

As the situation is developing, all of the religious, racial and conservative pressures bound up in school aid are likely to collide in the House Rules Committee.

School-aid supporters had hoped to pass the public-school bill through the House separate from the religious issue and then bring along another bill providing aid to private schools as amendments to the National Defense Education Act.

But it suddenly developed that Speaker Sam Rayburn's newly won control of the Rules Committee doesn't cover bills containing religious issues. Rep. James J. Delaney (D-N.Y.), one of the Speaker's needed votes and a Catholic, announced that he would not vote to send the public-school bill to the floor until the private aid bill had been cleared.

Rules Committee Chairman Howard W. Smith (D-Va.), leader of the conservative opposition to all school aid, said he doesn't plan to act on the public school bill until "certain conditions" are met—one being that he get the NDEA bill from Powell.

He would then have three school bills in his Rules Committee — college aid, lower public schools and NDEA — totaling about $7 billion in Federal spending. He might further complicate matters by holding simultaneous hearings and dumping the whole package on the House floor at once.

Smith said he was going to bring up the school-bill question at a Rules Committee meeting today.

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FEDERAL AID

CATHOLIC CHURCH
PAROCHIAL SCHOOLS

BISHOP DEPLORES SCHOOL-AID BIAS

The N.Y. Times

Tells Catholics Any Debate Must Center on Education Policy and Not Religion

New York

By GENE CURRIVAN

Special to The New York Times.

ATLANTIC CITY, April 4—Roman Catholics and Protestants concerned with Federal aid to nonpublic schools were admonished here today not to debate the issue on religious grounds.

Educational policy and not dogmatic theology should be the premise for any such debate, according to the Most Rev. John J. Wright, Bishop of Pittsburgh and president-general of the National Catholic Education Association.

Speaking to 16,000 delegates to the association's fifty-eighth annual convention here at Convention Hall, he said:

"The debate * * * should not be permitted to degenerate, in its philosophic premises, into a debate between Catholics and Protestants, any more than it should be represented, in its political context, as a debate between Catholics and the national Administration, above all the President. It is no such thing. We should not be drawn into any such line of argument."

Legal Questions Cited

If the question of education involves constitutional questions "they can be ultimately resolved and all parties must abide by the final resolution," Bishop Wright said.

"It may even involve a debate over the desirability of separate school systems," he said. This is, theoretically at least, a reasonable enough debate for educators but it is not a Catholic-Protestant fight and should not be allowed to become one."

Bishop Wright warned against engaging in ecclesiastical debates with representatives of councils of Protestant churches or other Protestant groups.

"We can debate the Trinity with the Unitarians, the papacy with the Anglicans, the visible church with the Lutherans—all this we can do without harming America. But the present argument is a debate on educational policy, not dogmatic theology, and making it a theological debate seriously damages America."

Bishop Wright praised President Kennedy for deploring such danger and added, "He will receive the loyal agreement and unqualified support of everyone on every side, in this aspect of the matter."

Common Good of America

Declaring that religious education must play a part in helping prepare America "for her part in the moral regeneration of the world," Bishop Wright said that great emphasis should be placed on religious education for the common good.

He held that the nation and the church had profited from the established tradition of the separation of church and state and that no one who loved either would want to reduce the safeguards that had made it possible.

"But even with the strongest attachment to the separation of church and state," he said, "there has not been until recently any widespread suggestion that intellectual life and moral idealism or that religious values and the American civil heritage, are similarly to be separated. The common good of American presupposes and depends upon the necessity that there be piety in citizens and patriotism in believers."

Bishop Wright said he hoped the Government would resist pressures that would destroy educational freedom and not use the power to tax "without first maknig certain that its action does not deal a mortal blow to the rights of those taxpayers whose children are in voluntary schools."

SCHOOL HEARINGS ENDED IN SENATE

New York Times

3 Protestants Assail Effort by Catholics to Win Aid for Private Institutions

Tues. 3-21-61

By RUSSELL BAKER

Special to The New York Times.

WASHINGTON, March 20—Senate Hearings on the Federal school aid bill ended today with three Protestant church groups opposing Roman Catholic efforts to bring private and parochial schools under the program.

The bill will not come to the Senate floor until sometime after Easter. At present the debate about what it should contain is dominated by religious and constitutional controversy and the ultimate outcome is in great doubt.

Testimony before a Senate Labor and Public Welfare subcommittee centered today on a proposal by the Roman Catholic hierarchy to include a program of Federal loans for private and parochial schools.

The Rev. James D. Murch, representing the National Association of Evangelicals, denounced as "unwise and un-American" a recent statement on the subject issued by Archbishop Karl Alter of the National Catholic Welfare Conference. Mr. Murch later said that he had meant the word "un-American" in a legalistic sense.

Sees Implied Threat

Archbishop Alter's statement, Mr. Murch said, seemed to imply a threat that the Catholic hierarchy would oppose the Kennedy Administration's program for aiding public education unless construction loans for private and parochial schools were included.

"It appears to us that such a radical poistion is both unwise and un-American," he said.

In testimony before a House subcommittee last week, Msgr. Frederick G. Hochwalt, education director of the National Catholic Welfare Conference, said that the church claimed no authority to compel its members to support the hierarchy's position.

He said that Catholic members of Congress were free to vote their convictions, but that the church would use all legitimate political weapons to carry its side in the dispute.

Mr. Murch's characterization of the Catholic position as "un-American" drew a protest from Senator Jennings Randolph, Democrat of West Virginia, a Protestant opposed to aid for parochial schools.

Mr. Murch explained that he considered loans to church schools unconstitutional. Therefore, the Catholic position is "un-American" in a legalistic sense, he said.

Mr. Murch said that his organization represented 2,000,000 Protestants.

The Rev. Dr. Gerald E. Knoff, representing the National Council of Churches, described his organization as "genuinely sorry" that the school bill had produced a religious controversy. He urged that the fight be conducted with "respect" for all parties.

Dr. Knoff argued that the Federal Government's offering of loans to church schools would encourage many denominations to come to the Treasury for funds. In this event, the public school system might be "undermined" and this could lead to a "cultural schism" that would tend to "impair our democracy," he said.

'Form of Tax Support'

A third Protestant spokesman, the Rev. Dr. Robert E. Van Deusen of the National Lutheran Council, opposed loans for church schools on the ground that they constituted "clearly a form of tax support" prohibited by the Constitution.

But in disagreeing with the Catholic hierarchy, he said, "we disagree as brothers, not as antagonists."

In the House, an Education subcommittee heard today several educators who sought amendments to insure that the so-called impacted areas would not lose money under the Kennedy bill.

These are areas whose school financing problems have been compounded by the introduction of tax-free Federal property. The Kennedy bill would reduce the amount of funds going to these areas.

LEGAL VIEWS DUE ON EDUCATION AID

The N.Y. Times

Justice Department Drafts Brief on Constitutionality of Church-School Help

New York

Special to The New York Times.

WASHINGTON, March 12—The Administration hopes to produce this week a formal legal brief on the constitutionality of Federal aid to non-public schools.

President Kennedy's aid-to-education program, which does not include church schools, is caught up in a struggle over this issue. The President has urged Congress to handle any private school aid in a separate bill so as not to complicate the passage of the program for public schools.

Mr. Kennedy has said that he regards any aid to church schools, either grants or loans, as unconstitutional. The hierarchy of the Roman Catholic Church is pressing for $350,000,000 in long-term loans for construction of private, including church, schools.

Justice Department lawyers in one office stayed up until 4 A. M. one day recently preparing a memorandum for the President on the constitutional question. That helped to explain his familiarity with the legal arguments at his news conference last week.

Statement Requested

Now the Justice Department group is turning this memorandum into a full-scale brief. Such a formal statement of the Administration's position was requested last week by Senator Wayne Morse, Democrat of Oregon.

The chances that Congress might follow the President's advice and handle the private school problem in separate legislation have brightened over the week-end. So has the prospect that an antisegregation rider can be avoided.

Senator Jacob K. Javits, New York Republican, a strong supporter of the antisegregation amendment in the past, said today that he would oppose it this year. He explained on a radio-television program over New York stations that the rider would injure the chances of passing the legisation.

Two other Senators said they would vote to keep parochial schools out of the general aid-to-education measure. They were Estes Kefauver, Democrat of Tennessee who spoke on the Mutual Broadcasting System program Reporters' Roundup, and John Sherman Cooper, Republican of Kentucky, who appeared on the Columbia Broadcasting System television show "Youth Want to Know."

Income Tax Proposal

Representative Roman C. Pucinski, Democrat of Illinois, proposed that families be allowed income tax deductions on tuition paid to church schools. He made the suggestion, which he termed a way to compromise the legislative struggle, in a letter to the Commissioner of Internal Revenue, Mortimer M. Caplin.

Just how the Catholic hierarchy regards the idea of handling church school assistance in separate legislation may be disclosed this week in testimony by Msgr. Frederick G. Hochwalt. The director of the education department of the National Catholic Welfare Conference is scheduled to appear before a House Education and Labor subcommittee.

The House group will be starting hearings on the school program. A Senate subcommittee will also continue its hearings.

One bill already passed by both House and Senate — the measure to reduce plantings of feed grains and raise price supports—will go to conference this week.

The issue will be the Administration's proposals to enforce the lower planting provisions, which the House accepted but the Senate rejected. To be helpful for this spring's planting, the bill will have to be passed this week.

Unemployment Benefits

Another bill pressing a deadline is the one to extend unemployment benefits, which the Administration had hoped to make effective April 1.

The House has passed the measure, but the Senate Finance Committee has not acted. The Administration hopes the committee will report it out this week, but the timing of floor action is still uncertain.

On the Senate floor will be legislation to aid depressed areas. When this is disposed of, the Senate is expected to take up ratification of the treaty for United States participation in the new Organization for Economic Cooperation and development.

New Attack Made Against Parochial School Aid

McCormack Proposes U. S. Loans At Low Rates to Church Schools

WASHINGTON, March 16 (AP)—Federal aid for church-operated schools came under renewed attack today and a Catholic senator who favors such support said he doubts it can win Senate approval.

Paul S. Blanshard, well known as a writer on church-state matters, strongly criticized any federal aid to church schools and called on Americans to "stand up and be counted" on the issue.

Sen. Philip A. Hart, D-Mich., told a news conference he thinks federal lending to parochial schools would be constitutional and he favors it—providing insistence on it would not block passage of the administration's $2.3-billion aid program.

But, he added, "I doubt if there are the votes to do it, either by an amendment or a separate bill."

Kennedy's Position

President Kennedy has taken the position that direct aid or loans to private and church schools would be unconstitutional. But he has suggested that the matter be taken up in a separate bill rather than being tied into his pending measure.

Meanwhile, the Republican leadership in Congress pursued a hands-off course in the mounting debate. Sen. Everett M. Dirksen of Illinois, the Senate minority leader, told newsmen the loan proposal was not even discussed in a meeting of Senate and House GOP leaders today. Nor, he added, has it been considered in any other leadership meeting.

Blanshard's testimony was part of a day-long debate before a House subcommittee in which these other developments occurred:

A "junior GI" bill under which federal grants would be given to individual children who would then go to the school of their choice was proposed as a solution to the church-state controversy.

A spokesman for the Roman Catholic Church said Sunday schools of all denominations should also be eligible for federal loans.

Blanshard, who appeared as special counsel for the organization known as Protestants and Other Americans United for Separation of Church and State, attacked federal aid to church schools on legal and moral grounds.

He predicted such aid would lead to "endless religious bickering and in the end may even curtail the independence of religion in this country."

The "junior GI" bill was proposed by three officials of a group called Citizens for Educational Freedom. David La Driere of St. Louis, its president, said it is a nonsectarian organization dedicated to providing parents freedom of choice in educating their children. It has 10,000 members throughout the country, he said.

The group's plan is patterned directly on the GI bill, which awarded grants to veterans for use in schools and colleges of their choice. Under it all school children would get a government certificate which they would turn over to the school they chose to attend and the school would then collect on the certificate.

Msgr. Frederick G. Hochwalt, education director of the National Catholic Welfare Conference, and John C. Hayes, president of the National Council of Catholic Men, repeated testimony given earlier to the Senate.

They argued that loans to parochial schools would be constitutional and that leaving them out of any general aid-to-education bill would be discriminatory.

Under Questioning, Msgr. Hochwalt agreed the logic of his position would make Sunday schools of all denominations eligible for federal loans. "I would be happy to support loans for Sunday schools," he said.

By Michael Posner
United Press International

House Democratic Leader John W. McCormack yesterday split with President Kennedy on the aid-to-education issue by proposing that construction loans to parochial schools be written into the President's program.

Kennedy told his news conference last week there was no room for argument over whether parochial schools should be included in his 5.6-billion-dollar proposal because "it is prohibited by the Constitution and the Supreme Court has made that very clear."

But McCormack, like the President a Catholic, said there was no constitutional bar to the Federal Government "making long-term loans at reasonable rates of interest for the construction or the renovation or the repair of private schools."

"I would clearly and definitely say that the provision of that kind is justified and I would support it," the Massachusetts Congressman said in a TV interview filmed for New York stations with Sen. Kenneth B. Keating (R-N.Y.).

Leaders of the United States Catholic hierarchy already have announced they will vigorously oppose the Kennedy plan on grounds it discriminates against parochial schools. They said they would fight to have church-operated schools included.

In Concord, N.H., Sen. Styles Bridges (R-N.H.) said he would support any effort to authorize Government construction loans to private and parochial schools.

"I am opposed to Federal aid to education in principle," Bridges said, "but if we must have it, any program we come up with should not favor one group over another.

"There is no valid reason why a large segment of tomorrow's potential manpower should be excluded from educational benefits made possible by Federal spending," Bridges said.

Mr. Kennedy's stand was supported yesterday by Rep. Adam Clayton Powell, (D-N.Y.), chairman of the House Labor and Education Committee which will handle the bill and a minister of the Abyssinian Baptist Church.

Asserting that "my opinion is the same as the President's," Powell said such legislation also would make money available to Southern school districts which have closed down public schools and are trying to operate private systems.

"I would have to oppose it on that ground," Powell said on a recorded radio program (Radio News Conference). "I think any right thinking American would also."

Sen. Harrison A. Williams Jr. (D-N. J.,) forecast that the school measure would touch off one of the hottest fights of the session. He also said in a TV interview, "Youth Wants (CBS-WTOP) that he believed it would get through the Senate.

McCormick said other religions besides Catholics operate schools and they have a right to do so. But he said it is "more difficult for them to operate" when the Federal Government helps public schools without giving them comparable aid.

14d(1) 1961

Diluted School Aid Defeated in House

Atlanta Constitution

Thurs 8-31-61

By JOHN D. MORRIS

(Copyright 1961 by the New York Times Co.)

WASHINGTON—The House killed the administration's compromise school construction bill Wednesday, 242 to 169.

The unexpectedly one-sided vote was a stunning defeat for President John F. Kennedy and a major victory for the House coalition of Republicans and conservative Democrats.

It came on a motion by Rep. Adam Clayton Powell Jr., D.-N.Y., for consideration of the bill. Without debate, the House soundly defeated the motion and thus wiped out any remaining hope for passage of new school-aid legislation this session.

A federal aid to education bill will pass, Rep. Barber says. Story on Page 18.

Kennedy accepted the action as final so far as the 1961 session of Congress was concerned. He said at his news conference, however, that "we will be back again next year" with further recommendations.

He conceded that even then it would be difficult to get a bill through Congress and would "require a good deal of good will on all sides."

"The only one who loses today," he added, "is not the administration, but the school children who need assistance."

The central provision of the three-part compromise bill, sponsored by Rep. Frank Thompson Jr., D.-N.J., called for $325 million in federal grants for construction of public schools. The proposed outlays were designed to cover the most pressing needs for classroom facilities over a one-year period.

Eighty-two Democrats and 160 Republicans voted against consideration of the measure as the normal conservative alliance was buttressed by unexpected Democratic recruits from non-Southern states and an almost solid Republican phalanx. While the motion was supported by 163 Democrats, only six Republicans voted with them.

HOW GEORGIANS VOTED

(Georgia congressmen voted 5 to 4 in favor of consideration of the school aid bill Wednesday.

(Representatives John W. Davis of Summerville, G. Elliott Hagan of Sylvania, Phil Landrum of Jasper, Robert G. Stephens Jr. of Athens, and Carl Vinson of Milledgeville voted to take up the bill.

(Voting against it were Representatives Iris Blitch of Homerville, James C. Davis of Stone Mountain, John J. Flynt Jr. of Griffin, and E. L. (Tic) Forrester of Leesburg.

(Rep. J. L. Pilcher of Meigs was in Georgia and did not vote, but he was paired against taking up the measure, making the division in the Georgia delegation 5 to 5.)

The Thompson bill was one of two measures hastily drafted and introduced last week to carry out a compromise formula devised by Secretary of Health, Education and Welfare Abraham Ribicoff.

NEW DOUBTS ARISE

The second bill, sponsored by Rep. Edith Green, D-Ore., calls for $1,500,000,000 in federal loans and grants for construction of college academic facilities. It is waiting action by the House Rules Committee. New doubts arose Wednesday over whether it would reach the floor before adjournment.

Speaker Sam Rayburn of Texas said the Democratic leadership's plan now was to pass before adjournment a stop-gap bill to continue two expiring education programs.

The measure, yet to be introduced, would renew for a year a program of federal grants to public schools in districts with heavy concentrations of federal employes or military personnel, which expired last June 30. Outlays of $201 million would be authorized.

The bill would also continue for a year the college student loan provisions of the 1958 National Defense Education Act, which expires next June 30, and authorize $90,000,000 for new loans.

FEDERAL AID

House Panel Clears School Compromise

New York Times

By JOHN D. MORRIS

Special to The New York Times.

WASHINGTON, Aug. 29—Democrats steered the Administration's compromise program of aid to education through the House Education and Labor Committee today amid sharp partisan strife.

Democratic leaders said they would seek a House vote tomorrow on the more controversial of two bills reported by the committee.

The disputed measure, sponsored by Representative Frank Thompson Jr., Democrat of New Jersey, includes provisions authorizing $325,000,000 in Federal grants for construction of public schools.

The committee approved it on a straight party vote of 16 to 12 as the Democratic majority, carrying out a decision reached in caucus yesterday, overrode united Republican opposition.

The panel approved the second bill by voice vote. It authorizes $1,500,000,000 in Federal loans and grants for construction of academic facilities by colleges. Representative Edith Green, Democrat of Oregon, is the sponsor.

The two-bill package, patterned on compromise proposals put forward two weeks ago by Abraham A. Ribicoff, Secretary of Health, Education and Welfare, is a drastically scaled-down version of the Kennedy Administration's original education program.

Three bills embodying the President's original recommendations have been tied up by the House Rules Committee since July 18 by a combination of economic and religious pressures.

One would have set up a broad three-year program of Federal aid for payment of teacher salaries and for construction of public schools. Federal grants of $2,484,000,000 would have been authorized. The Senate has passed a similar measure.

Another would have authorized $480,000,000 in Federal grants for college scholarships and $1,500,000,000 in grants and loans for construction of college academic facilities.

Extension of Act

The third called for a long-range extension of a greatly expanded National Defense Education Act. The act of 1958, which expires next June 30, was designed especially to promote education in science, mathematics and foreign languages through Federal loans to college students, fellowships, teacher institutes and various other devices.

The bill would have broadened the programs to include English and physical education. One controversial amendment, tacitly but not officially backed by the Administration, would have authorized $375,000,000 in Federal loans to parochial and other private schools for construction of science, mathematics, language and physical education facilities.

Under the new Thompson bill, as approved today by the Education and Labor Committee, the construction grants for public schools are designed to meet the most pressing immediate needs. The grant authority would cover one year.

The measure also calls for a one-year continuation of student-loan provisions of tre National Defense Education Act, with $90,000,000 authorized for new loans.

In addition, it would renew for one year an expiring program of Federal grants to public schools in "impacted areas." These are areas with heavy concentrations of Federal employes and military personnel. The measure would authorize $201,000,000 in additional grants.

Sought to Ease Pressure

By limiting the bill to an "emergency" one-year construction program for public schools, Democratic strategists had hoped to ease Roman Catholic opposition to any general school-aid measure that did not help parochial-school education. The Catholic opposition has been centered more on aid for teacher's salaries than construction.

The strategists had also hoped to pick up some neede support from Republicans and conservative Democrats.

It was doubtful, however, that they had succeeded in either case.

Representative James J. Delaney, Democrat of Queens, who cast the deciding Rules Committee vote against the origina Administration bills on the ground that they "discriminated" against parochial schools, was still not satisfied. Mr. Delaney, at Catholic, represents a Congressional district populated largely by members of his church.

Democratic leaders have decided to seek passage of the new Thompson bill by a little used parliamentary device for bypassing the Rules Committee. They will use the so-called "Calendar Wednesday" procedure, under which chairmen of the legislative committees may call up bills on Wednesdays without Rules Committee clearance.

The attempt is expected to be made tomorrow and, if necessary, on succeeding Wednesdays, depending on whether opponents resort to delaying tactics.

The roll of committees is called alphabetically. The District of Columbia Committee, controlled by Southern Democrats, is among those ahead of the Education and Labor Committee. It is consequently possible that all of the time tomorrow will be consumed by the District of Columbia Committee.

But any committee loses its turn if its chairman is recognized on one Wednesday, and the next committee on the alphabetical roll is called the following Wednesday. The Education and Labor Committee follows the District of Columbia Committee.

Republican Opposition

Repoublican opposition to the Thompson bill at today's meeting of the Education and Labor Committee was reenforced later in the day when the House Republican Policy Committee unanimously agreed to oppose its consideration on the floor.

It consequently appeared possible that the bill's managers would be unable to muster a House majority for action under the Calendar Wednesday procedure.

In aition to the opposition of conservatives and some Catholic leaders, the measure is drawing increasing criticism from some advocates of Federal aid to education. These critics contend that it is an inadequate substitute for the Administration's original school-aid program.

The bill was attacked on that ground today by Dr. James L. McCaskill in behalf of the National Education Association, which is sometimes called the teachers' lobby.

Dr. McCaskill, executive secretary of the association's legislatoive commission, registered a series of sharp objections in a letter to the Education and Labor chairman, Representative Adam Clayton Powell Jr. of Manhattan. He sent copies to committee members and House Democratic leaders.

The N. E. A. A. representative suggested that the Calendar Wednesday procedure be invoked to take the Administration's original school-aid bill to the floor.

"Let us not retreat to a woefully inadequate compromise until we have seen the results of a record vote in the House of Representatives on a meangul bill," he wrote.

Republican members of the Education and Labor Committee assailed the Democratic majority for the methods employed to get committee approval as well as for the substance of the bill.

One of them, Representative Peter Frelinghuysen Jr. of New Jersey, called it "basically unwise legislation" and complained that it had been "rammed down our throats."

"I consider it headed for the graveyards, where it belongs," he said.

Five-Year Program

The comparatively non-controversial Green bill would authorize grants to colleges of $900,000,000 and loans of $600,000,000 over five years.

Leaders are confident that the Rules Committee will clear it for House consideration under the usual parliamentary procedure.

It is doubtful that they will take it to the floor, however, unless the Thompson bill is passed.

Speaker Sam Rayburn, Democrat of Texas, said today that, if the Thompson bill failed, the plan was to pass a measure that would merely extend for one year the impacted-area program and the student loan provisions of the National Defense Education Act.

Such a bill, he said, can be taken up without further committee action by suspending the rules, which requires a two-thirds majority.

14d(1) 1961 FLORIDA OCTOBER SUIT

Volusia School Suit Is in Judge's Hands

The Florida Times-Union
Jacksonville, 10-31-61 P-20

A day-long trial in the U.S. District Court here yesterday ended a year of litigation launched by the National Association for the Advancement of Colored People to bring about full-scale integration of Volusia County's public schools. The case was taken under advisement by Judge Bryan Simpson.

Only one witness took the stand during the trial. He was Volusia School Supt. John Smiley, who was called to testify both by the defendant school board and the plaintiff Negroes who contended that the county is maintaining a compulsory biracial, segregated school system.

Smiley testified particularly to the admission of two Negro children to a white school last Aug. 17, and the denial of a third application for admission.

The admissions were authorized by and the procedure followed the pattern laid down in the state's pupil assignment law, Smiley said.

The NAACP contends the pupil assignment law has been applied in Florida schools in an unconstitutional manner, to effect an unconstitutional result and to perpetrate a segregated school system in Volusia County.

The NAACP has asked the court to require the school board to formulate a concrete plan which will spell out a definite integration program, rather than relying on the pupil assignment law to bring that about.

The school board contends that by following the assignment law, it has ended segregation in the Volusia schools.

Million Pour into State Schools; 12 Integrated

By United Press International

More than a million youngsters poured into Florida public schools yesterday, including 23 Negroes who integrated schools in Broward and Volusia counties for the first time.

Three thousand new teachers, making a total of more than 43,000, were on hand to get the year's work under way. Total enrollment was expected to be about 1,170,000, increase of about 65,000 students over the enrollment for the 1960-61 school year.

The scene was peaceful and without disorder in the three Florida counties which now have integrated schools.

At Volusia Avenue Elementary School in Daytona Beach, 12-year-old Dietrich Golden began classes in the seventh grade and 9-year-old Pamela McMillan in the third.

In Fort Lauderdale, 16 Negro children entered Rock Island Elementary School and five at Everglades Junior High. The schools are side by side in a formerly all-white neighborhood in which some Negro families recently purchased homes.

Rock Island Principal H. M. Dickey said the integration move went off as "smooth as silk."

Another Negro pupil, 6-year-old Pamela Ellison, a cerebral palsy victim, was placed on the waiting list at the school for exceptional children in Fort Lauderdale. Two 14-year-old Negro girls, however, were denied admission when they showed up at Deerfield Beach Junior because they did not live in the school district.

In Dade County, where token integration began at Orchard Villa and Homestead Air Base schools two years ago, three more schools were integrated today.

Nine Dade County schools now have at least token integration involving more than 300 Negro children. Orchard Villa, however, the first school integrated in Florida in 1959, now has a student body of all Negroes, an estimated 1,000.

The largest contingent of Negroes in an integrated school was at Earlington Heights Elementary where the principal made an unofficial count of 277 Negroes and 133 whites.

School began in 34 Florida counties last month and in four others last week. The 29 counties beginning instruction yesterday completed the roster of all 67 counties with doors open.

Integration spread peacefully elsewhere in the South and Southwest.

In Little Rock, Ark., where U.S. Army troops turned out during the 1957 integration disorders around Central High, five more schools were integrated. A white student's reaction: "We couldn't care less."

In Dallas, eight of the 101 white elementary schools in the nation's largest segregated school district will open to Negro first graders today. Houston, Austin, Corpus Christi and San Antonio already have integrated schools in Texas.

In New York, about 50 Negro parents threatened to boycott school unless their children were transferred to a school outside their predominantly Negro neighborhood. They charged their local school was both rundown and segregated.

No Incident As Negroes Register

DAYTONA BEACH — (UPI) — Two young Negro girls registered Monday without incident at the previously all-white Volusia Elementary School here.

Pamela McMillan, nine, and Dietrich Golden, 12, will attend school here starting Sept. 5. The Volusia County School Board approved their admittance applications on Aug. 17.

The applications were approved under the Florida pupil assignment law which went into effect in 1956.

A third Negro girl's application was turned down by the board. She was the sister of Pamela McMillan — seven-year-old Paula.

Baker Opens Schools with 1,847 Pupils

By Staff Writer

MACCLENNY, Sept. 7—A total of 1,847 pupils registered for opening day classes in the Baker County school system today.

This was 49 pupils less than were enrolled Sept. 13 last year about two weeks after school started. Supt. L. L. Dugger said he expected the total to rise slightly above last year's figure as more pupils register during the next two weeks.

The attendance by schools was as follows: Baker High 555, Macclenny Elementary 469, Glen St. Mary 183, Sanderson 154, Taylor 87, Keller High for Negroes 254 and Central Elementary for Negroes 145.

The Taylor school showed the biggest drop for white schools with a decrease of 16 pupils. Registration also was down considerably at the Negro schools but Dugger said this was expected to increase during the month.

Two Negroes Enter Palm Beach School

LAKE WORTH, Sept. 11 (AP) — Palm Beach County became the fourth in Florida today to begin public school integration when two Negro children entered Lake Worth High School.

There were no incidents as a Negro girl entered the eleventh grade and a boy the twelfth. Police Chief Henry Hall and a patrolman were in the vicinity in patrol cars.

The school board decided over the weekend to admit the students.

Previously, Dade, Broward and Volusia counties began school integration.

To Integrate More County Schools

MIAMI, — ANP) —A major step in desegregating Florida public schools will be made this fall when 227 Negro students are admitted to previously all-white schools.

In Dade County, about 225 Negro children will attend integrated schools when schools open in Sept. Encouraged by the quiet acceptance of integration, school officials are less worried about friction as they were two years ago when four Negro students went to Orchard Villa elementary school.

Most of the Negro children in the change will attend one school, Ellington Heights elementary school. Erlington Heights' desegregation was orderly by Supt. Joe Hall without board action.

The Volusia County School Board, headed by Mrs. Jeanne Goddard, voted last week to desegregate the all-white Volusia Ave. School in Daytona Beach by approving the admittance applications of two Negro girls.

The board rejected the application of a third girl "it does not appear to be in the best interests of the applicant." Mrs. Goddard said the board's decisions were based upon the "consideration set forth in the Florida pupil assignment law.

Could Also Reject Petitions

Integrated Schools May Add Negroes

Dade County School Board may decide today to allow several more Negro students to attend integrated schools.

Or it may turn down all 11 petitions heard during lengthy pupil assignment hearings Wednesday.

Most of the students seek admission to Allapattah Elementary School, 4700 NW 12th Ave. Most have been assigned to Orchard Villa Elementary, 5720 NW 13th Ave. Both schools are already integrated.

Ten of the students involved in Wednesday's hearings sought entrance to Allapattah. Their families live in a northwest area being more and more populated by Negro residents.

Dr. Joe Hall, Dade school superintendent, said the population shift during the summer months, following spring registration for the present term, was "much faster than we had anticipated" so preparation for "absorbing" more Negro youngsters than already are there had not been made.

He therefore recommended the students, from second through fifth grades, attend Orchard Villa.

Only junior high student involved was one seeking entrance to Allapattah Junior High. He was assigned to Brownsville Junior High, 4899 NW 24th Ave.

3 Negro Children Change Schools; 8 Turned Down

The Miami Herald 10-18-61
Fri. 10-6-61
Miami, Fla.

By JEAN WARDLOW
Herald Staff Writer

A boy made lame by an auto accident, his brother and an eight-hour-old whose mother is "late for work every day" because she must take her to school were the three Negroes the School Board voted to allow to change schools Thursday.

At the same time the board turned down applications of eight other youngsters who wanted to change schools and heard testimony for an additional 22.

Most sought admission to Allapattah Elementary School, 4700 NW 12th Ave.

Most were assigned to Orchard Villa, 5720 NW 13th Ave., at the beginning of the term. Both schools previously had been integrated.

Two of the three children who were transferred will attend Allapattah's third grade; the other, seventh grade of Allapattah Junior High.

The father of two of the youngsters was represented by G. E. Graves, special counsel for the National Association for the Advancement of Colored People.

The mother of the eight-year-old had asked for her own hearing and had no attorney.

The series of hearings were for students in the second through seventh grades. Graves stressed the fact that the most recent integration of students was for those in first grade only.

Dr. Joe Hall, Dade school superintendent, emphasized this "is not a school policy."

Graves also represented families of five of the youngsters whose change-of-school requests were turned down.

These cases may be appealed.

Dade, whose school system was integrated without court order and whose integration procedures have drawn educators to observe and study, has approximately 550 integrated students in nine of its 191 schools.

Families involved in the Wednesday and Thursday hearings live in the Northwest area being more and more populated by Negro residents.

Dr. Hall said the population shift during the summer months, following spring registration for the present term, was "much faster than we had anticipated," and preparation for "absorbing" more Negro youngsters than already are there had not been made.

ACTION CALLED FRIVOLOUS

Ex-Klan Head Loses Suit To Close Public Schools

Miami Herald
D 220
Tues 10-17-61
Jacksonville Fla

TALLAHASSEE, Oct. 16 (UPI)—A suit seeking an order to close all public schools in Florida until the people decide by vote whether they shall be integrated or segregated was turned down in the State Supreme Court today.

The court denied the petition following arguments in which the state branded the suit "frivolous." It wrote no opinion in the case.

The suit was filed by Bill Hendrix, Oldsmar builder and one-time grand dragon of the Florida Ku Klux Klan. He insisted that only the people and not the courts have the right to remove from the State Constitution a requirement that the schools be racially segregated.

"I am not asking that the schools be integrated or segregated, but only that the law be followed," he said in pressing his suit before the Supreme Court.

Though not the first time it's been done, it is unusual to have a layman appear before the Supreme Court. The court listened attentively to Hendrix and then to Assistant Atty. Gen. Ralph Odum who opposed the suit for the state.

Odum said the case was frivolous on its face. He said the Supreme Court has no power to close down the schools or to order a state vote on the segregation question. This is up to the Legislature which has not seen fit to order any statewide referendum, he said.

Hendrix said it was a violation of his constitutional rights and religious beliefs to order his child to go to school but give him no say as to what school he must attend or with whom he must associate.

The people put the segregation provision in the Constitution and only the people can remove it, he said. He also argued that no court has ruled that any state must operate a public school system.

But Odum said the State Constitution requires a free public school system and that the State Supreme Court a few years ago recognized that the U.S. Supreme Court had invalidated the state prohibition against whites and Negroes attending schools together.

Most Will Be in One School

Some 225 Negroes Switch To Mixed Classes in Fall

P-2B The Miami Herald Sun, 8-13-61

By PHIL MEYER
Herald Staff Writer

The Dade County school system next month takes its biggest step toward eliminating racial segregation since four Negro children walked into Orchard Villa Elementary School two years ago.

This year, about 225 Negro children will make the change to mixed classrooms. But school officials, encouraged by Dade's quiet acceptance of desegregation thus far, are less worried about friction than they were when only a handful of children were involved.

Miami Fla

"We had meetings all summer long to get ready for the Orchard Villa thing," a school official said. "This time, we haven't had a single meeting."

Most of the Negro children involved in this year's desegregation will attend one school: Earlington Height's Elementary. Some 200 will transfer from nearby Floral Heights Elementary, which was so crowded last year that 16 portable wooden classrooms have been crowded onto its seven-acre site.

White enrollment at Earlington Heights was 360 last spring. Principal William Tango expects about half of these to remain when school opens Sept. 5.

School officials plan to keep the faculty all white this year, regardless of the ultimate racial makeup of the student body. The opposite course was taken at Orchard Villa where white enrollment dwindled to less than a dozen students and an all-Negro faculty was brought in.

This year's desegregation policy differs from that of 1959 in another important respect. The School Board admitted the four children to Orchard Villa only after prolonged hearings under the Pupil Assignment Law and under the pressure of pending litigation.

This year, only one Negro is being admitted to a predominately white school as the result of a full-dress hearing. The board voted to admit an eighth Negro to Allapattah Elementary after learning that a member of the child's family was among the seven admitted without hearings.

The Earlington Heights desegregation was ordered without board action at all. Supt. Joe Hall did it by administrative order.

Here's the history of school desegregation in Dade County:

1959—Four Negroes admitted to Orchard Villa Elementary. White attendance dropped drastically and school became predominately Negro, ending the year with only one white student. Air Base Elementary, a new school serving mostly Air Force children, opened with some 25 Negroes and 700 whites in South Dade.

1960—One Negro admitted to North Miami Beach Junior High, one to Fulford Elementary.

1961—Three more Negroes admitted to Fulford, plus six to Gladeview Elementary, one to Riverside Elementary, two to Vineland Elementary, eight to Allapattah Elementary, three to Coconut Grove Elementary, and about 200 to Earlington Heights Elementary.

No Desegregation Beyond Dade Line

P. 2B The Miami Herald

By BERT COLLIER
Herald Staff Writer

As more than a million Florida school children prepare for the new fall term, there is no prospect of desegregation anywhere outside Dade County.

The other 66 counties have maintained segregated schools although court suits are pending in five others and prospects are that two more will soon be filed.

Sun, 8-13-61

Escambia County, with Pensacola as its seat, is under federal court order to submit a plan for desegregation. Appeals and arguments are expected to delay any final showdown this year.

Miami Fla

When the desegregation order was handed down by Federal District Judge G. Harrold Carswell at Talllahassee, the Escambia school board responded with a plan. They announced they would abide by the pupil assignment law, notifying all parents of their right to appeal for transfer to any school regardless of race.

Attorneys for the plaintiffs objected that this was not desegregation, but mere evasion. A hearing on these objections, originally set for July, is now scheduled for August 17.

Suits are active in Duval and Volusia Counties. The Jacksonville case is unusual in that a group of white parents sought to intervene as co-defendants. They contended that desegregation would affect white children, giving them a personal stake in the outcome of the case which the defendant school board did not have.

District Judge Bryan Simpson denied this petition a few days ago.

White parents were among the plaintiffs in the case filed in Volusia County. In this instance they were striken from the list on the grounds that they could not claim racial discrimination in assignments.

Other suits are pending in Hillsborough and Palm Beach Counties. The Dade County case, first filed in the state, has been in effect settled by integration of several schools.

The State Board of Control has a policy of integration throughout the university system. However, only one Negro, a graduate law student, was attending the University of Florida last year. There has been no mixing at other state institutions, although two white students were denied permission to enroll at Florida A. & M.

There has been some integration in the junior colleges. In Dade County, several Negro students attended classes with white students where there were too few to justify separate classes. Two Negroes attended summer classes at Petersburg junior colleg

Florida Negro College Admits White Student

P6 The Pittsburgh Courier

ST. PETERSBURG, Fla.—While most of the nation focused its attention on the desegregation of white schools in such places as Dallas, Little Rock, New Orleans, and Atlanta, this city's previously all-Negro Gibbs Junior College swung open its doors to accept without fanfare a white instructor and a white student.

By reversing the pattern of integration, Gibbs Junior College became the first Florida institution to desegregate both its faculty and student body.

Cracking the racial barrier on the faculty level was Mrs. Marjorie Dargan Carter, wife of a professor at the all-white Florida Presbyterian College. Dr. John W. Rembert, president of Gibbs, said Mrs. Carter was assigned to teach two courses of English.

The proximity to her home of Gibbs Junior College, and the desire to do part-time teaching were the reasons Mrs. Carter gave for applying for a position at Gibbs Junior College.

Florida County Must Desegregate Schools

Birmingham World 5-13-61
Wed 5-13-61

TALLAHASSEE (UPI)—Federal District Judge G. Harrold Carswell Friday ordered Escambia County to start desegregating its public schools in the fall of 1962.

Carswell rejected an NAACP-sponsored plan that called for immediate lowering of the color bars in the northwest Florida county which borders Alabama. He gave his approval to the Escambia County school board's plan for a delay until next year.

The judge ordered that the plan be made applicable to all public schools in the county, including the white and Negro state - operated junior colleges in Pensacola.

He directed the school board to notify parents before Oct. 16 of this year that they can apply for admission or transfer of their children to the schools of their choice, effective next year.

He set the period of April 23 through April 27 for the parents to exercise their right of preference of schools. Under his order, any parent whose application is denied must be notified by next July 15 of the board's action.

In making the decision on each application, the board will apply the criteria set forth in Florida's pupil assignment law which includes factors other than race.

The plan is similar to those adopted by school boards in Miami and Tampa. The pupil assignment law, which has been held valid in the courts, lists such factors in assignment of a child to a specific school as uniform testing, scholastic aptitude, location and availability of school and transportation facilities and also psychological factors.

Under the Escambia County plan, school authorities will notify parents that they may apply for transfer to schools of their choice, without regard to race or color.

School board members said they expect at least 100 Negro pupils will apply for transfer to previously all - white schools.

The order came in a suit by the NAACP on behalf of 12 Negro children seeking admission to white schools. It also demanded that teachers be assigned to schools without regard to race or color, but Carswell's order did not cover teachers. He had ruled previously that pupils could not sue to change the system for assigning their teachers.

In High Schools, Colleges

Miami Herald

Palm Beach Schools Told to Show 'Faith'

9-2-61

BY JOHN McDERMOTT
Herald Staff Writer

Federal Judge Emett C. Choate Friday ordered the Palm Beach School Board to use the same yardstick for assigning white and Negro children to high schools and junior colleges.

Miami Fla

Negro leaders immediately hailed the court's action as a "tremendous step" toward integration.

Choate's decision came during a pre-trial conference at the Federal Court in Miami.

He called on the school board to show "good faith" by giving the same considerations to the placement of students in schools under Florida's Pupil Assignment Act.

The judge said that if the school board failed to act accordingly, he would issue a court directive.

Attorney W. O. Merhtens, representing the school board, assured the court the ruling would be transmitted to the Palm Beach officials.

Negro attorneys, William Holland, I. C. Smith, and Malcolm Cunningham, estimated "that hundreds" of colored students would be affected.

There are already 48 applications from Negroes requesting the Palm Beach school board to assign them to white schools nearer their residences.

The attorneys estimated that six areas of Palm Beach County, all along the East Coast, would be affected immediately, including the Jupiter and Lake Osborne subdivision of Lake Worth in particular.

The court's ruling climaxed a six-year battle by Holland to enroll his son in an all-white elementary school. However, Choate's order in this instance applied only to high schools and junior colleges.

MIXING INCREASE CITED IN FLORIDA

Tampa Tribune

Integration Will Spread to Two More Cities

Tues 9-5-61

(The Associated Press)

Public school integration in Florida, which began quietly two years ago in Miami, will spread Tuesday to at least two other cities, Daytona Beach and Fort Lauderdale. Some 400 Negro youngsters, most of them in Miami, will enter classrooms with white children.

New Orleans

Two Negro girls, Pamela McMillan, 9, and Dietrich Golden, 12, will break the racial barrier at Daytona Beach. They were transferred to a white elementary school with unanimous approval of the Volusia county school board.

At Fort Lauderdale, the first race mixing in Broward county is expected at Rock Island Elementary and Everglades Junior High school. Seven Negroes registered at Rock Island and one at Everglades and county school officials said they had a legal right to do so.

The rest of the 400 Negro pupils will attend nine schools in Dade county. One school, Earlington Heights Elementary, will have 200 to 250 Negroes and the same number of whites.

Although Miami began integration in 1959, it had been only on a token basis until this year.

No organized opposition was reported in any of the three counties and school officials anticipated no problems.

There was no information on whether Negro children would attempt to enter schools in Palm Beach county under a federal court decree issued last Friday in Miami.

Judge Emett C. Choate ruled that the Palm Beach county school board must assign students to schools nearest their homes. The case involved claims that Negro children had been forced to travel long distances to Negro schools when white schools were closer to their homes.

Lauderdale Schools to Integrate

Miami Herald
Fri 9-1-61

Miami Fla

By GEORGE LARDNER
Of Our Broward Bureau

FORT LAUDERDALE — Segregation in Broward County schools is scheduled to end Tuesday with the admittance of five Negroes to two white schools in Northwest Fort Lauderdale.

School Superintendent Myron Ashmore said Thursday that the Negroes are entitled to attend the schools under the provisions of the state Pupil Assignment Law.

All have moved into homes within the white school districts, Ashmore said. The two schools are Rock Island Elementary, 2301 NW 26th St., and Everglades Junior High School, 2400 NW 26th St.

Adolpus Smith Jr., of 1721 NW 26th Ter., was the first to enroll at Rock Island. He registered for the second grade there Wednesday.

Three more Negro youngsters applied for admittance to the first, second and fifth grades at Rock Island Thursday, Ashmore said. Another registered for classes at Everglades Junior High.

Like the Smith youngster, they all live within the Rock Island and Everglades school districts.

"The School Board knows about the applications and has indicated that the schools will have to serve the pupils living in their districts," Ashmore said.

The board met Thursday, but the enrollments did not come up for discussion.

Board action is called for under the Pupil Assignment Law only when a student applies for entrance to a school outside the district in which he lives, the superintendent explained.

Ashmore expressed the hope that the transition will be made smoothly.

B 2A

The School Board is faced with a Federal Court suit to desegregate all schools in the system.

Fri 9-1-61

One of its principal defenses has been that no Negroes had been denied admittance to white schools under the Pupil Assignment Law.

A sixth Negro, George Iverson, of 1220 NW Second St., has applied for entrance to the all-white Sunrise Junior High School, but school officials said his home is not in the Sunrise district. His reassignment request will have to be considered by the board.

Young Iverson and his mother are among the plaintiffs in the Federal Court suit. A hearing on the suit is scheduled in Miami today.

Racial Barrier Broken In More Florida Schools

The Montgomery Advertiser
1, 10

By THE ASSOCIATED PRESS

Public school integration in Florida, which began quietly two years ago in Miami, will spread Tuesday to at least two other cities, Daytona Beach and Fort Lauderdale. Some 400 Negro youngsters, most of them in Miami, will enter classrooms with white children.

Tues 9-5-61

Two Negro girls, Pamela McMillan, 9, and Dietrich Golden, 12, will break the racial barrier at Daytona Beach. They were transferred to a white elementary school with unanimous approval of the Volusia County School Board.

At Fort Lauderdale, the first race mixing in Broward County is expected at Rock Island Elementary and Everglades Junior High School. Seven Negroes registered at Rock Island and one at Everglades and County School officials said they had a legal right to do so.

Montgomery Ala

The rest of the 400 Negro pupils will attend nine schools in Dade County. One school, Earlington Heights Elementaary, will have 200 to 250 Negroes and the same number of whites.

Although Miami began integration in 1959, it had been only on a token basis until this year.

No organized opposition was reported in any of the three counties and school officials anticipated no problems.

There was no information on whether Negro children would attempt to enter schools in Palm Beach County under a federal court decree issued last Friday in Miami.

Judge Emett C. Choate ruled that the Palm Beach County School Board must assign students to schools nearest their homes. The case involved claims that Negro children had been forced to travel long distances to Negro schools when white schools were closer to their homes.

Two More Counties To Mix

The Miami Herald
1, 16

Broward, Daytona Set

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News About Florida

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Miami Fla

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70 Others Refused

Schools to Admit 23 More Negroes

By JEAN WARDLOW
Herald Staff Writer

Dade County school board Wednesday voted to allow 23 additional Negro students to enroll in mixed classrooms. It brings the total to about 353 Negroes integrated into public schools here.

Twenty of the new enrollees are first graders and will attend Vineland (one) Coconut Grove (one), Allapattah (14) and Gladeview (five) elementary schools. All of the schools were integrated this year for the first time.

Two students will attend previously segregated Fulford Elementary's fourth grade.

At the same time, the school board unanimously voted to turn down "at this time" applications of 70 other Negro students.

Board Member Jack D. Gordon, however, asked that the record show that he would have voted to allow the additional 70 students to be integrated, had that recommendation been stated separately.

Supt. Joe Hall, who made the recommendations to the board members present — Chairman Jane Roberts, Dr. Robert S. Butler, C. T. McCrimmon and Gordon — said that parents of students whose applications were turned down would be notified immediately. They then have 10 days in which to ask for a hearing.

Ten schools including the junior college now have mixed classrooms.

Schools which the students will attend are at these locations:

Allapattah Elementary, 4700 NW 12th Ave.; Coconut Grove Elementary, 3351 Matilda; Fulford Elementary, 16140 NE 18th Ave.; Gladeview Elementary, 6210 NW 27th Ave.; Vineland Elementary, 8455 SW 119th St.

Volusia School Board Denies 21 Transfer Request

DELAND, Fla. — (UPI) — The Volusia County School Board for the second time denied a request Tuesday for Paula McMillan, a 7-year-old Negro, to enter the Volusia Avenue Elementary School in Daytona Beach.

Paula's older sister, Pamela, 9, and another Negro girl, 12-year-old Dietrich Golden, had their applications approved under the Florida Pupil Assignment Law by the board and are attending the previously all-white school.

Paula's application was denied both times on the contention that she would not make the "adjustment."

The hearing before the board was requested by her parents, Dr. and Mrs. William A. McMillan.

McMillan, dean and registrar of the Bethune-Cookman Negro College at Daytona Beach, said he didn't think the sisters should be separated and thought Paula would have better opportunities to develop her potentialities at the Volusia Avenue School.

School Mixing Spreads Today In Florida

BY THE ASSOCIATED PRESS

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28 Integrated In Broward

FORT LAUDERDALE — Six more Negroes entered previously all-white public schools in Broward Wednesday.

Meanwhile Rosamond Pappy, 14, of 856 NW 16th Ter., became the first Negro to enter St. Thomas Aquinas High School (formerly Central Catholic).

Integration in the public schools continued to take place smoothly," officials said. A total of 28 Negroes are now enrolled.

No additional Negroes registered at Everglades Junior High School where six enrolled Tuesday.

School officials said 10 applications for transfer have been received from white students at Rock Island Elementary who don't want to attend integrated schools. The requests are subject to School Board approval.

White Girl Enters Negro College

ST. PETERSBURG — (AP) — Integration of educational facilities took a turnabout Wednesday with the enrollment of a white student at Gibbs Junior College in St. Petersburg.

Dr. John W. Rembert, president of the state supported Negro school, said Mrs. Geraldine B. Stevens had been accepted as a student. He said also that a white teacher, Mrs. Marjorie Carter, was hired as a part-time English instructor.

Mrs. Carter is the wife of Dr. Howard Carter Sr., head of the humanities department at Florida Presbyterian College.

Rembert said the school has received 46 applications from white teachers to instruct and several applications from white students for enrollment.

He indicated they would be passed on before registration ended next week.

Charge School Suit Reply To Fla. Pupil Assign Law

Atlanta Daily World
Atlanta, Ga.

JACKSONVILLE, Fla. — (UPI) — The Duval County School board charged Wednesday that a federal court suit seeking desegregation of Jacksonville area schools was in reality a direct attack on the Florida pupil assignment law.

The school board asked the U. S. District Court to dismiss the suit filed last December by the NAACP on behalf of 14 Negro children.

The board also applied for the convening of a three-judge district court to hear the case, and asked that a decision on all other proceedings be postponed until a ruling is made on this application.

"This court," the board maintained, "is without jurisdiction to determine the constitutionality or unconstitutionality of the Florida pupil assignment law in this action."

The NAACP suit demanded complete desegregation of the entire county school system, including teachers as well as pupils. It was similar to earlier suits involving Volusia and Escambia counties which are still awaiting final action.

The school board's reply was contained in five separate motions totaling 15 pages, prepared by Fred Kent, a prominent Jacksonville attorney and former chairman of the State Board of Control.

The board, in the motion to dismiss the suit, argued the Negroes failed to exhaust administrative remedies granted by the state pupil assignment law, passed by the State Legislature in July, 1956.

Ala., Miss., S.C. stand pat as Dixie token mixing spread

The Afro-American
Baltimore, Md.

MIAMI — (ANP) — Though Mississippi, Alabama and South Carolina are listed as the only three state universities which have not been desegregated some state schools qualify as integrated by only token compliance.

Integration in Florida colleges and universities for example is limited to a handful of students.

The University of Florida Law School has one colored student, Willie George Allen, 24, of Sanford, admitted last September. Only other state supported institution with any integration is Dade's junior college where several colored students attend classes.

For the past two summers, several colored students have enrolled in the University of Florida's teacher education college for short courses.

* * *

VIRGIL D. HAWKINS, Daytona Beach, tried unsuccessfully for nine years to get into the University of Florida Law School.

Then in Sep., 1958, the University of Florida was ordered to admit a colored student to its law school. But, the Federal court limited integration to graduate professional schools at the University of Florida only.

Hawkins couldn't meet the entrance qualifications, but subsequently another colored student was enrolled in the law school. He later dropped out as did the university medical school's first student.

* * *

LOUISIANA State and Tennessee are the only universities in the deep South which have admitted colored students as undergraduates. Several have colored graduate students.

Five of Louisiana's nine state supported colleges are now desegregated. The state no longer keeps enrollment records by race but the Southern Regional Council, an organization which complies facts and figures on integration, gave these estimates:

LSU at Baton Rouge, 45; Southern Louisiana College, McNeese College, 50 to 72; 12 to 15; Southern Louisiana 150 to 200.

* * *

TENNESSEE has removed "race as a factor in admissions" in six state-supported colleges and 36 colored are currently enrolled in them.

The separately controlled University of Tennessee admitted its first three colored undergraduates just a few weeks ago.

Fifty-seven colored are enrolled in 6 of 16 state colleges which have desegregated in North Carolina.

Brant Denies Racial-Basis Assignment

The Florida Times-Union
Jacksonville, Fla.

By JOSEPH P. CRAIN
Times-Union Staff Writer

Ish Brant, superintendent of public instruction here, yesterday denied that Duval County students or teachers are assigned to schools on a racial basis.

Brant testified during the taking of a deposition by attorneys for the National Association for the Advancement of Colored People, which has filed a suit here calling for the complete integration of the local school system.

He was questioned by Constance Baker Motley, an assistant to Thurgood Marshall of New York, chief counsel for the NAACP.

Admission Sought

She hammered throughout the day for an admission from Brant that school racial segregation was practiced here and that students were assigned to schools on a basis of race.

But Brant maintained all pupil assignments were made under the provisions of the Florida Pupil Assignment Law, which does not list race as a criteria for assignment.

He traced the operation of the assignment law here, showing that beginning students here are free to apply for admission to any school, and the assignment then is made principally upon a basis of the applicant's place of residence and the availability of school space.

25 Negro Schools

Brant admitted that 25 of the county's 113 schools are "predominantly Negro," and added that so far as he knew no Negro is attending a white school, nor any white student a Negro school.

The superintendent said that he and the board are following an assignment policy suggested by an interpretation of the U.S. Supreme Court school mixing decisions furnished by Elliott Adams, school board attorney.

This interpretation, Brant said, is in substance that the high court had ruled that students could not be assigned to schools on a basis of color, but it had not decreed that the schools must be arbitrarily mixed, regardless of the wishes of the students as to the school they preferred to attend.

No Application Made

Brant's testimony relative to the pupil assignment practices indicated a strong element in the school system's defense of the integration suit will be the fact that no Negro child has applied for assignment to a white school, and no ruling of the school board in an assignment case involving Negroes has been appealed.

Fred H. Kent and Davisson F. Dunlap, special counsel retained by the school board to answer the integration suit, participated with Adams in the taking of Brant's deposition.

Brant also was questioned regarding the method of assigning teachers to schools, and again denied that the racial factor was involved.

Principals' Recommendations

He said that basically teachers are assigned to schools in response to recommendations by principals, who are supplied a list of teachers available to fill a particular vacancy.

The principal's recommendation comes to his office, he said, where normally he endorses it, sends it to the school trustees who nominate the teacher, then to the school board which actually makes the assignment.

The superintendent was the only witness heard during yesterday's day-long session. The deposition taking will be contined this morning.

Volusia Asks For Bids on Negro School

The Florida Times-Union
Jacksonville, Fla.

The Times-Union Bureau

DE LAND, Jan. 30 — Bids were called for today by the Volusia County school board on a new Negro junior-senior high school and vocational center at Daytona Beach.

The board approved the plans ten days ago over protests of a Negro Parent-Teacher Association and threats to push for integration in schools of the area if the projects were not undertaken separately.

The state has approved the joint school plans and bids will be accepted at 2 p.m. March 14, School Supt. John Smiley said.

Plans for the new plant were made with accordance to recommendations of a state survey team and is in compliance with planning under the county school bond issues, Smiley said. The project is expected to cost approximately $1.5 million.

Rights Ruling Seen By May In Pensacola

PENSACOLA, Jan. 16 (AP)—A Federal judge promised today to hand down a ruling in a school integration case here by May.

U. S. Dist. Judge G. Harrold Carswell of Tallahassee adjourned a hearing of the case and directed that opposing sides present written testimony. Carswell halted the hearing after 2½ hours and directed the testimony be written and presented to him by March 1.

The judge said he would rule on the integration petition between that date and the May term of Federal court.

Carswell had limited the hearing to testimony as to whether Negro children were denied direct admittance to an all-white school solely because of their race.

The National Association for Advancement of Colored People had filed a class action last Feb. 1 on behalf of 12 Negro children. The 12 included two who were denied admission to the Oliver J. Semmes Elementary School—named for a Confederate sea hero—in the Fall of 1959.

The petition requested integration of the entire Escambia County public school system.

Fathers of seven of the Negro children testified today their homes were closer to white schools than they were to Negro schools which their children now attend.

Two school officials, Supt. W. J. Woodham Jr., and Mrs. Kathleen Morrison, principal of Semmes School, testified the school was overcrowded even before the two Negro children sought admission in 1959.

Mrs. Morrison said more than 100 children had to be transferred from Semmes because of overcrowded conditions there in 1959.

Presenting the NAACP case were Mrs. Constance B. Motley, New York and Charles Wilson, Pensacola Negro attorney.

STATE OFFICE ABOLISHED

Florida Solves Problems and Finally Is at Peace with Seminole Indians

TALLAHASSEE, Feb. 2 (UPI)—Florida, at last, is at peace with the Seminole Indians.

The state's problems with the small band of Seminoles have been so successfully solved that Gov. Farris Bryant said he is abolishing the office of State Director of Indian Affairs.

It will be abandoned March 1 when Max Dentoh, who has held the job since its creation early in 1956, retires.

Any problems that come up after that will be handled by William Kidd, who is the engineer for the state trustees of the Internal Improvement Fund, and by the Federal Bureau of Indian Affairs.

But Bryant is not expecting any major problems.

One of the problems that faced the state when Denton took over was the refusal of many of the Seminoles to send their children to school, preferring to teach them on the reservation.

Today, Bryant said, 98 per cent of the Indian children are in school.

Also settled over the years was a fight between the so-called "reservation" Indians and the "trail" Indians.

The reservation Indians, many of whom practice the old tribal ways, lived on 78,586 acres in three reservations at Dania, Brighton and Big Cypress.

The Trail Indians live along the Tamiami Trail.

Cause of the fight was some $40,000 the state held in trust for the Seminoles from sale of oil leases on reservation lands.

Most of the Indians wanted the money to improve grazing lands and buy homesites, others for hospitalization and burial expenses.

The state worked it out by handing over the money so that it could be divided up among the Indians for whatever purpose they chose. Most are using it to build modern homes and for recreational facilities.

Denton said the Indians are well enough organized now to handle their own business.

Under state and federal direction, they have a tribal council, elected by the Indians, to govern them.

Still unsolved is the Seminoles' claim against the federal government for 9.5 million acres of Florida land they claim was taken from them years ago without compensation.

They claim title to all of Florida south of Gainesville, and there is a suit pending in Federal Claims Court in Washington on this.

At the crux of the matter is the Seminoles' claim they never signed a peace treaty with the white man.

The federal government claims differently, saying they signed a treaty with leaders of the Seminole tribe back when all the Indians were moved out to Oklahoma.

The forefathers of the Seminoles now living in Florida refused to recognize this leadership or treaty or to go to Oklahoma. They fled into the Florida Everglades and have been there since.

Pensacola Schools Ordered To File Integration Plan

TALLAHASSEE, Fla. (AP)—The Escambia County School Board was ordered Friday by federal district Judge Harrold Carswell to file within 90 days a plan for integration of the public schools.

However, it could be many months before there would be any desegregation in the Pensacola schools, because of legal steps involved.

TRANSFER SCHOOL

Carswell's order said the school board had been excluding Negroes from white schools because of their race in violation of the U.S. Supreme Court's 1954 desegregation decree.

He directed the board to submit a plan which would allow Negroes "a reasonable and conscious opportunity to apply for admission to or transfer to any school they were eligible for without regard to their race and to have their application fairly considered."

The only public schools in Florida now integrated are in the Miami area. The Dade County School Board took the action voluntarily two years ago at an elementary school after a suit was filed in federal court.

At Pensacola, Edwin Holsberry, special attorney for the Escambia County School Board, said he did not know yet what action the board would take, pending a meeting with other attorneys.

The original suit resulting in Friday's court action was filed in behalf of 12 Pensacola Negroes last year.

Florida's pupil assignment law—the state's No. 1 legal bulwark against mass integration—wasn't an issue in the Pensacola case. However, it could come into play in administration of any plan set up for integrating the schools.

State Solons Agree On School Program

The Fla. Times-Union
Jacksonville, Fla.
Sept. 5-6-61

TALLAHASSEE, May 5 (AP)—A joint Appropriations subcommittee today cleared a major hurdle in its efforts to complete writing of the general appropriations bill when it reached tentative agreement on the Minimum Foundation school program.

Under the agreement an estimated $3.5 million will be added to the $279,881,126 recommended by the Cabinet budget commission as the state's share of the school financing program.

The group also made a move to help relieve the counties in meeting their share of the costs by providing that the amount of the counties' required effort for the second year of the biennium would not have to exceed 10 per cent of that of the first year.

In agreeing tentatively on the state's share of the funds, the subcommittee decided to freeze some phases of the Minimum Foundation program at current levels during the next two years.

Not Enough?

School forces, however, said the $3.5 million wouldn't be enough to meet the demands during the next two years and said they would continue to push for an upward revision.

The subcommittee agreed to put in a larger amount of state funds after receiving a report from the State Department of Education that school enrollment was beginning to pick up again. During the first seven months of the current school year enrollment climbed 59,700 ahead of the same period a year ago. This was 5,000 more than had been expected.

The subcommittee decided to make no changes in the Minimum Foundation formula. State School Supt. Thomas D. Bailey has said that if the present formula is retained, local property taxes would have to absorb $34.5 million more and since many of them couldn't raise the money quality education would suffer.

Revaluation Effect

The increased demands for local funds has been brought about by property revaluations in several counties. Gov. Farris Bryant said he was opposed to the state kicking in any more funds and declared that local governments should "get on the ball" and raise their own funds.

House and Senate Appropriations committee chairmen set their sights on getting the general spending bill written by late next week.

Rep. J. J. Griffin, chairman of the House committee, said he planned a weekend meeting with his subcommittee chairmen and expected to get their reports by next Wednesday noon. Sen. Wilson Carraway, the Senate chairman, said he was shooting for his reports by the same time.

Writ on School Mixing Is Asked

The Fla. Times-Union
Jacksonville, Fla.
Sept. 5-6-61
P. 19

Petition Filed with Supreme Court Involves Pupil Placement Law

By JOSEPH P. CRAIN
Times-Union Staff Writer

The Duval County school board yesterday filed with the U.S. Supreme Court a petition for a writ of mandamus which would order U.S. District Court Judge Bryan Simpson to refer an important phase of the local school integration suit to a three-judge federal court for consideration.

The petition was filed by Fred H. Kent and Davisson F. Dunlap, attorneys retained by the school board to assist in the defense of the integration suit, and Elliott Adams, school board attorney, and his son Adam G. Adams.

In effect, the petition for the writ is an appeal from Simpson's ruling last March 1 which denied an application of the school board for the convening of a three-judge court.

In denying the application, Simpson stated he would stay any final hearing on the suit until the Supreme Court acts on the petition.

Contention of Board

The application for a hearing before a three-judge court was based upon a school board contention that the race-mixing suit challenges the constitutionality of Florida's school placement law. The attorneys for the National Association for the Advancement of Colored People contend they have raised no constitutional question.

Federal court procedure requires a three-judge court to hear questions involving the constitutionality of a state law.

The school board bases its contention that the validity of the placement law has been challenged on this language in the NAACP bill of complaint:

"The plaintiffs herein have not exhausted the administrative remedy provided by the Florida pupil assignment law for the reason that the remedy there provided is inadequate to provide the relief sought by the plaintiffs in this case."

In its petition to the high court, the school board alleges that the language of the complaint "commits them (the plaintiffs) irrevocably to the contention that constitutional questions are here involved."

Judge Simpson, the board sets forth, apparently based his denial of the application for a three-judge court on a decision of the U.S. Court of Appeals for the 5th Circuit which held that the plaintiffs in a similar suit arising in Tampa could attack the method of administering the placement law without exhausting the administrative remedies afforded by the law.

Jacksonville Fla
P. 36

But the petition points out that two other appellate courts, for the 4th and 8th circuits, have rendered exactly opposite decisions.

"That is a matter of grave public concern," the petition states. "That apparent conflict between the decisions on that point between those circuits should be resolved by this court."

The specific administrative remedy the school board contends has not been exhausted here is the filing of an application by a Negro student seeking to attend a white school. No such application ever has been made here, it is said.

There is no timetable available upon which the school board counsel might base an estimate as to when the Supreme Court might consider the petition.

In Jacksonville, Fla.

The Courier
Pittsburgh, Pa. 14d ed 7a

Race Attorneys Win Bout in School Case

Sat. 3-4-61
p 22

JACKSONVILLE, Fla.—NAACP attorneys won an initial victory in the current school integration case here when U. S. District Court Judge Bryan Simpson barred the public and news media from the proceedings, and limited the type of questions that could be fired at the Negro plaintiffs.

Attorneys Earl M. Johnson o this city, and Constance Bake Motley of New York, had file the motion, contending that if the hearings were open to the public and questioning were unrestricted, reprisals might be taken against their subjects by their employers.

■

AT THE OUTSET of the hearing said such resprisals had already begun, causing two of the parents involved in the case to withdraw from the suit. They were Maderien Williams Sr., and Frazier Williams, fathers of five of the 14 children named.

Johnson's contention was challenged by attorneys for the school board, who said the parents had withdrawn because they were not residents of Duval County when the suit was filed.

■

THE LIMITING of questioning protects the Negro plaintiffs from having to reveal the type of financial arrangements made between them and their attorneys in connection with the litigation.

Earlier, Davisson F. Dunlay, one of the attorneys for the school board, had said they would attempt to prove "collusive action" on the part of the NAACP, and that the plaintiffs were not suing for their own benefit, but for the benefit of others.

Simpson's ruling closes this path of retreat to the school board and sets forth as immaterial the fact that NAACP lawyers are involved in the case.

Bill to Halt Funds To Florida Schools Stirs House Fight

The Miami Herald
By Herald Wire Services

TALLAHASSEE — A bill to prohibit Florida schools from taking federal aid offered under a bill pending in Congress touched off a turbulent floor fight in the House Tuesday.

The measure apparently had the backing of a majority of the House who feared that accepting the aid would lead to federal interference with the schools.

Wed. 3-31-61

But the bill lacked the two-thirds majority necessary for final passage and had to be held over another day.

The bill survived two attempts to either kill or weaken it with amendments. One, by Rep. Frederick Karl of Volusia, would have placed the decision to accept the federal aid in the hands of the State Cabinet Board of Education.

Miami Fla

Karl's amendment would have permitted use of the funds, provided "there were no strings attached."

Rep. George Stallings of Duval warned against any sort of acceptance of federal aid. "When you are dealing with federal encroachment," Stallings said he did not want to turn the decision over to the five man cabinet board.

Other opposition to the measure came from Rep. Tom Whitaker of Hillsborough. "We are sitting at the crossroads of a basic, fundamental decision," Whitaker said.

"When we start to take federal aid, the fight to keep local control gets harder and harder," he said.

But supporters of the measure said the state was taking federal aid to education of one type or another now. Rep. James Sweeny of Volusia said it was "absolute folly" not to take the federal money. He said he didn't want federal controls, but he was for federal aid as long as there were no strings attached. Sweeny strongly supported Karl's amendment.

Rep. Rupert Smith of St. Lucie said he was not so afraid of federal aid as some other lawmakers were. He pointed out that many of them went to school on the GI bill following World War II. He said federal aid to education was a good way to bring back to the states monies paid to the federal government in taxes.

The federal aid bill has not yet cleared Congress. It has passed the Senate, but has yet to go through the House.

The proposed legislative act would exclude universities and federal funds now coming into the state.

School Suit Bars Imposed

Judge Bans Public, News Media From Depositions on Mixing

By JOSEPH P. CRAIN
Times-Union Staff Writer

U.S. District Court Judge Bryan Simpson yesterday barred the public and all news media representatives from being present when depositions are taken from the plaintiffs in a suit calling for the racial mixing of students and teachers in the public schools here.

In addition, he imposed stringent restrictions upon the questions which can be directed to the plaintiffs during the closed deposition-taking. Simpson ruled school board attorneys cannot inquire as to what financial arrangements Williams fathers of five of have been made between the Ne- the 14 children named in the suit. gro plaintiffs and their attorneys But Johnson's contention im- in connection with the litigation, mediately was challenged by Fred or what motives the plainiffs had H. Kent, Davisson F. Dunlap and in bringing the suit. Elliott Adams, representing the

The ruling, in effect, limits the school board.
interrogation to a determination The parents are withdrawing of the race of the plaintiffs, the from the suit, they asserted, be- relationship between the adults cause they did not live in Duval and children bringing the suit, the County when the suit was filed. place of residence of the plain- School records, they declared, tiffs and the eligibility of the indicated the children involved had children to attend Duval County been withdrawn from local schools public schools. prior to the launching of the liti-

Motion Filed gation, and their grades have been transferred to school systems in

The judge's ruling came on a other cities.
motion for the protection of plaintiffs, filed by Constance Baker Motley of New York and Earl M. Johnson of this city, attorneys for the National Association for the Advancement of Colored People.

The woman attorney did not reach Jacksonville in time for yesterday's hearing, telephoning that her plane was fogbound in Atlanta.

The motion contended if the taking of depostitions, is open to the public, and the questioning is unrestricted, the plaintiffs would be subject to reprisals by their employers and others.

At the outset of the hearing Johnson said such reprisals already have started, and two of the parents already have asked to withdraw from the suit.

He named the parents as Maderien Williams Sr. and Frazier

Johnson admitted he had no personal knowledge of the whereabouts of either of the Williams families.

The withdrawal of the two Williams from the suit will leave only five parents representing nine children to answer the school board's notice of the taking of depositions. A new date, 9 a.m. Monday, in the school board meeting room at the County Courthouse, was fixed for that hearing.

Judge Simpson also fixed 2 p.m. Tuesday for a hearing on all other pending motions in the case.

First of these to be heard will be an application for the appointment of a three-judge district court to rule upon the constitutionality of the Florida Pupil Placement Law, which the school board contends has been attacked in the Negroes' bill of complaint.

Kent, implying that he felt Judge Simpson will deny the application, declared that if such a ruling were handed down the school board immediately would file a notice of appeal, which would at least temporarily stay further arguments on other pending motions in the case.

School board arguments yesterday, offered principally by Dunlap centered upon the NAACP proposal for limiting the scope of the questions that might be asked during the taking of depositions.

Pointing out that such a federal procedure in discovery usually is given a wide latitude, Dunlap argued that the judge should not rule upon the relevance or materiality of questions before they are propounded.

He pointed out, too, that the plaintiffs, by federal rules, have two means of barring questions they consider immaterial or irrelevant. Their lawyers, Dunlap said, can instruct the plaintiff not to answer a specific question, or they can call a halt to the entire proceeding and go back to the presiding judge for a ruling.

Dunlap argued particularly for the right to question the plaintiffs as to their motives in bringing the suit and as to what financial arrangements have been made in connection with it.

Such questions, he said, would seek to determine if they were "collusive action" on the part of the NAACP and the plaintiffs, in bringing the suit, and if the NAACP were not the party actually interested in the outcome of it, rather than the plaintiffs.

If the interrogation of the plaintiffs showed such a lack of interest in the outcome, or that some group or person not a party to the suit would be the sole beneficiary from it, the suit would have to be dismissed, Dunlap said.

"If we could show these plaintiffs are suing not for their own benefit, but for the benefit of others—of the NAACP—we would be showing that this was collusion in order for the NAACP to gain jurisdiction of this court, which otherwise it would not have access to," said Dunlap.

But Simpson held that the suit is a "class action" in which the plaintiffs have only to establish the fact they are Negroes, and represent a class of Negroes similarly situated. He held that the fact that the NAACP lawyers are involved in the litigation is immaterial, as the organization is generally known to extend legal assistance to Negroes who are attempting to assert rights to which they claim they are entitled under the Constitution.

EDUCATOR SAYS FLORIDA NEGRO SCHOOLS INFERIOR

ORLANDO, Feb. 23 (UPI)—A Negro educator said today Negro education in Florida is inferior and that Negroes must unite to make it better.

Dr. Gilbert Porter of Tallahassee, executive secretary of the Florida State Teachers Association, spoke at the 34th annual session of the Florida branch of the National Congress of Colored Parents and Teachers. Some 500 persons are attending the three-day meeting which ends Saturday.

Porter said, "We have quanity. We have plenty of children, but what we need is quality. We need new buildings and something to go in them. We need good teachers and they ought to be well paid."

He said Florida white schools are superior to Negro schools and urged Negroes "to unite for the Negro children to help them get a better start in life than we had."

Pensacola Schools Ordered To File Integration Plan

TALLAHASSEE, Fla. (AP) — The Escambia County School Board was ordered Friday by federal district Judge Harrold Carswell to file within 90 days a plan for integration of the public schools.

However, it could be many months before there would be any desegregation in the Pensacola schools, because of legal steps involved.

TRANSFER SCHOOL

Carswell's order said the school board had been excluding Negroes from white schools because of their race in violation of the U.S. Supreme Court's 1954 desegregation decree.

He directed the board to submit a plan which would allow Negroes "a reasonable and conscious opportunity to apply for admission to or transfer to any school they were eligible for without regard to their race and to have their application fairly considered."

The only public schools in Florida now integrated are in the Miami area. The Dade County School Board took the action voluntarily two years' ago at an elementary school after a suit was filed in federal court.

At Pensacola, Edwin Holsberry, special attorney for the Escambia County School Board, said he did not know yet what action the board would take, pending a meeting with other attorneys.

The original suit resulting in Friday's court action was filed in behalf of 12 Pensacola Negroes last year.

Florida's pupil assignment law—the state's No. 1 legal bulwark against mass integration—wasn't an issue in the Pensacola case. However, it could come into play in administration of any plan set up for integrating the schools.

sires to withdraw their names.

He added that he advised the attorneys for the National Association for the Advancement of Colored People, Constance Baker Motley and Earl M. Johnson, of this decision and enclosed a copy of the letter sent to them.

Pope is the third of the original seven parents named in the suit to drop out of it. Two others, Maderien Williams Jr. and Frazier Williams, withdrew from the suit because they and their families no longer reside in Duval County.

Pope's action leaves four parents and seven children named as plaintiffs in the litigation. Originally, 14 children were named as representing a class of Negroes who were being denied their constitutional rights by the school board's refusal to admit them to white schools which were nearer their homes than the ones to which they were assigned.

The adult Negroes remaining in the suit after the latest withdrawal are Sadie Braxton, Rev. Tony Neal Jr., John H. Goodson and James R. Boddie Sr.

Negro Quits Local School Mixing Suit

Another of the Negro plaintiffs in the local school integration suit yesterday asked that the names of his two children be withdrawn from the bill of complaint.

Alphonso Pope of Atlantic Beach said in a letter to U.S. District Judge Bryan Simpson that he had entered the names of his children in the suit without the consent of their mother, and he now de-

INTERVENOR PETITION FILED

White School Patrons Seek To Join Suit as Mixing Foes

A motion to intervene as defendants in the local school system race-mixing suit was filed in the U.S. District Court yesterday by a group of white parents and school children.

Accompanying the motion was an answer to the mixing suit bill of complaint, which would be argued if the white group is permitted to intervene in the litigation.

The parents listed in the motion to intervene are John L. and Sara Stoudenmire, William and Ann Rountree, Ralph and Ruby Allen, Wade and Frankie Brookshire, Ben and Thelma Kimbriel, Betty Head, Doris Carter, Frances Austin, Woodrow and Myrtle Morris, Elvis and Vivian Crews and Delores Hawkins.

The motion, filed by J. Donald Bruce, attorney, declares it has been proposed because those named would be commonly and adversely affected by a judgment of the court calling for the full integration of the school system, as sought by the attorneys for the National Association for the Advancement of Colored People.

It adds that the defenses made by the school board are or may be inadequate, in that the members are sued in their official capacity and will not be personally or directly affected by a court ruling.

The proposed answer to the original suit, which will be argued if the motion to intervene is granted, asserts the educational, psychological, physical and mental effects of integration, upon white students, would be adverse, and that school mixing would generally impair the moral and educational standards developed in the white schools.

It is contended, in the proposed answer, that educational and intelligence tests administered here to white and Negro students reflect that the Negro students' educational achievement and mental maturity are generally substantially below those of white students of like grades.

Also, that the standards of personal conduct of Negro children of school age, as pertain to such matters as morals, hygiene and discipline, are substantially lower than those of white school children of the same age.

It also is alleged that a study of results in integrated schools, where integration has been ordered by the courts, shows the educational standards of those schools have been lowered, disciplinary problem increased, moral standards undermined and standards of health impaired.

To require white children to attend school with Negroes, the answer contends, would affect their hearts, minds and conduct in a way unlikely ever to be undone, and would deny them the protection, rights and benefits due them under the Constitution, the answer contends.

The proposed answer also alleges the U.S. Supreme Court, in its segregation rulings, has sought to amend the Constitution in an unlawful manner, that there is no claim in the NAACP suit that any of the plaintiffs have been denied admission to the public school of their choice here, and that the plaintiffs are not the real parties having an interest in the outcome of the suit.

No date for a hearing on the motion to intervene has been set.

Florida Placement Law Stands As Motion Loses

JACKSONVILLE, Fla., March 7 (UPI) — U. S. District Court Judge Bryan Simpson Tuesday denied a motion asking for a three-judge federal court to rule on the constitutionality of the Florida pupil placement law.

The motion was filed by attorneys for the Duval County school board in connection with a suit seeking desegregation of all teachers and pupils in Duval's public schools.

Attorney Fred Kent, hired to represent the school board, argued that the suit was a direct attack on the state law. He noted the Negro plaintiffs admitted they had not exhausted remedies provided under the law.

Constance Baker Motley, an NAACP lawyer from New York, countered that the suit didn't question the constitutionality of the Florida law, but sought an injunction to prevent the unconstitutional use of the law.

In his denial, Simpson said, "it is my very plain view that the application for the convening of a three-judge court is without substance."

Elliott Adams, regular school board attorney, said the board plans to file a writ of mandamus asking the U. S. Supreme Court to review Simpson's decision on the motion. Simpson agreed not to set a final hearing on the original suit until the writ is disposed of-providing the board didn't delay filing it.

Simpson also turned down several other motions by the school board including requests to strike portions of the original complaint and to dismiss the suit entirely.

PENSACOLA TOLD TO DESEGREGATE

U. S. Judge Orders School Board to Submit Plan Within 90 Days

Special to The New York Times.

TALLAHASSEE, Fla., March 17—A Federal judge ordered Escambia County to submit a plan for integration of its public schools today.

Federal Judge G. Harrold Carswell gave the county school board ninety days to file the program.

The Pensacola board is the first in the state to be ordered to file such a plan.

Assistant attorney general Ralph Odum said it was only a matter of time before the Federal courts compelled integration, not only in Pensacola, but also in other Florida counties. He said:

"Obviously the Federal Courts from the U. S. Supreme Court on down to the District Courts are moving in the direction of some integration. The Federal courts are going to compel Escambia, Hillsborough, Volusia, Duval and any other counties where such suits are pending to have some integration."

'Reasonable' Plan Asked

Judge Carswell's order said the school board had been excluding Negroes from white schools because of their race. He directed the board to submit a plan that would allow Negroes "a reasonable and conscious opportunity to apply for admission to or transfer to any school they were elikible for without regard to their race and to have their application fairly considered."

Florida's Pupil Assignment Law was not an issue in the Pensacola cast. It gives local officials discretion in assigning pupils to schools.

The National Association for the Advancement of Colored People filed the Pensacola suit on Feb. 1, 1960, in behalf of twelve Negro children. One of the twelve lived within a block of an all-white school but school officials contended the school was overcrowded.

In the original suit, the N. A. A. C. P. sought to require the board to submit a plan for assigning teachers as well as pupils on a non-racial basis. Judge Carswell overruled that phase of the petition. N. A. A. C. P. attorneys said they would appeal.

Duval School Motions In Mixing Suit Denied

U.S. District Court Judge Bryan Simpson yesterday denied all motions filed by the local school board in an attack upon a suit brought by the National Association for the Advancement of Colored People. The NAACP suit calls for complete racial mixing of pupils and teachers in the local school system.

Simpson first denied a school board application for appointment of a three-judge court to consider the constitutionality of the Florida Pupil Placement Law.

Fred H. Kent, special attorney retained by the board in the case, argued for more than an hour that the law's validity is challenged by the suit and that federal rules call for the special court to consider such a question.

But Constance Baker Motley of New York, an attorney for the NAACP, said the suit does not challenge the constitutionality of the law, that the law appears on its face to be constitutional, but that the school board has made use of the law to achieve an unconstitutional result.

Three-Court Question

The judge next denied a school board motion to stay further proceedings in the case until the attacking the NAACP bill of complaint. The three motions asked for portions of the NAACP bill to be stricken, for more definite statements to be made as to its allegations, and to dismiss the suit on the ground that the plaintiffs have not exhausted all their administrative remedies for seeking admission to the schools they desire to attend.

As he denied the motions, Simpson said they were identical to those raised in a similar suit directed against the Volusia County Board of Public Instruction and in which the sufficiency of the bill of complaint had been upheld.

The judge also denied a school board request for the plaintiffs to make admissions of facts regarding their motives for bringing the suit and financial arrangements which had been made with the NAACP lawyers.

Held Improper

The NAACP attorney contended the request for such admissions were improper in the proceedings, that the facts sought were immaterial and irrelevant to the suit, and that Simpson, in forbidding school attorneys to ask such questions in the taking of depositions from the plaintiffs, already had ruled on the issue.

Simpson's final ruling of the day was the denial of a last-minute motion by the school board to tax the cost of a court reporter against the plaintiffs.

The board contended it had retained a reporter for a $20 fee to take the depositions of the plaintiffs on Feb. 22.

The taking of depositions was called off Feb. 22 while Simpson heard arguments to bar the U.S. Supreme Court can be asked to rule on the three-court question.

Kent and Elliott Adams, school board attorney, said they probably will ask the Supreme Court for a writ of mandamus directing Simpson to grant the application for a three-judge court. They pointed out if such a writ were issued, it would invalidate any further actions or decisions by the District Court in other matters pending in the case.

Judge Simpson agreed with this, but he said he would proceed with other pretrial matters in connection with the case, up to the time of the trial.

If a writ of mandamus is under consideration by the Supreme Court when the time for the trial approaches, Judge Simpson said, he will stay that final procedure until the high court acts.

Brief Arguments

The school board attorneys offered only brief arguments on the other five matters pending before the court yesterday.

Simpson denied three motions press and public from the deposition hearing and to limit the scope of the questioning. The school board said it had to pay the reporter's cost, although the hearing was called off.

14d(1) 1961

FLORIDA

Daytona Schools Admit 2 Negroes

DELAND —(UPI)— The Volusia County School Board voted to integrate the all-white Volusia Ave. School in Daytona Beach Thursday by approving the admittance applications of two young Negro girls.

The board turned down the application of a third Negro girl because "it does not appear to be in the best interests of the applicant."

The applications were approved under the Florida pupil assignment law which went into effect in 1956. The three Negro girls were the first in Volusia County to apply for reassignment to a white school under the law.

Reassignments were okayed for Pamela McMillan, nine, and Dietrich Golden, 12.

They will not be the first Negroes to attend white public schools in Florida. Dade County's Orchard Villa Elementary School and Homestead Air Force Base Elementary school were integrated two years ago. However, no other schools outside of Dade County have been integrated.

Mrs. Jeanne Goddard, School Board chairman, said the decisions were based upon the "consideration set forth in the Florida pupil assignment law."

Suit Asks Closing Of Schools

TALLAHASSEE —(UPI)— A law suit seeking to shut down Florida's public schools pending a statewide vote on race-mixing was filed Monday in the state Supreme Court.

The suit, asking for a writ of mandamus ordering the State Cabinet and Board of Education to close the schools, was filed by Bill Hendrix of Clearwater, one-time grand dragon of the Florida Ku Klux Klan.

No immediate hearing was set.

days to submit an answer to the amended bill of complaint. No date was set for a final hearing in the case.

Meanwhile, in Jacksonville, a hearing will be held here June 15 in a suit accusing the city of Jacksonville of subterfuge in selling two municipal golf courses after the links were ordered desegregated.

The date was announced by U. S. District Court Judge Bryan Simpson. The two courses were sold by the city last year to private owners who now operate them as private clubs.

Simpson ordered the golf courses desegregated in a suit filed two years ago. Rather than permit race-mingling on the greens, the city closed them and put them up for sale.

Meantime, the city recreation department went ahead Wednesday with plans to open four city-owned swimming pools on schedule here Saturday despite a ruling in January forbidding the city to operate any recreational facilities on a segregated basis.

Recreation officials said last week the pools would be closed if any attempt is made to integrate them. City attorney William Madison said Wednesday such action would not be a violation of Simpson's order.

Valdosta County Target Of Desegregation Suit

JACKSONVILLE, Fla. — (UPI) — A federal court judge denied a motion Wednesday to throw out an NAACP suit seeking complete desegregation of pupils, teachers and school personnel in Volusia County.

U. S. District Judge Simpson, in a two hour hearing, also rejected a motion by the Volusia County School Board to strike portions of an amended complaint submitted by the NAACP n behalf of 34 children and parents, including four white children. The suit, filed last summer, called for an end to all forms of alleged racial segregation in populous Volusia County, including allocation of funds for school operation and building.

Attorneys for the school board maintained the plaintiffs had not exhausted all remedies provided by Florida's pupil placement law. They also contended the suit was improperly filed as a class action since both Negroes and whites were listed among the plaintiffs.

Simpson gave the school board 25 days to submit an answer to the amended bill of complaint. No date was set for a final hearing in the case.

The attorney said the ruling prohibits operating segregated facilities, but said nothing about requiring the city to operate public pools.

An NAACP spokesman said he knows of no plans at present to send Negroes to the white pools when they open. He said if an integration attempt is made, it will come from "outside" the city.

Integration Asked In School Suit

Herald Bureau

FORT LAUDERDALE — A prompt plan for desegregation of the Broward County school system on all levels — from elementary through junior college — was demanded Friday in a federal district court suit filed in Miami.

The suit also asks an injunction to restrain the school board from requiring Negroes to attend public schools "on the basis of their racial identities."

Court action was taken by G. E. Graves, special counsel for the Florida branch of the NAACP. However, Mrs. Eula Johnson, president of the Broward NAACP chapter, said the decision was strictly a local one and involved other groups besides the NAACP.

"It has been seven years since the Supreme Court ruled that 'separate but equal' schools were unconstitutional," said Mrs. Johnson.

"But nothing has been done in Broward County. Not one step has been taken. The board has not even made any plans for desegregation."

Plaintiffs against the board and its individual members were Mrs. Hattie Hall, Mrs. Essie Iverson Hicks and James Vickers.

FLORIDA

Federal Windfall

Dade Gets $1,250,000

The Miami Herald Sat 10-14-61 Miami, Fla.
P. 1 Sec. B

For Refugee Education

Money Allocated From Kennedy's Contingency Fund

By JAMES BUCHANAN
Herald Staff Writer

Dade County's bulging program for the education of Cuban refugee children and adults received a $1,250,000 windfall Friday from the federal government.

The funds will come from President Kennedy's contingency fund. They are to be expended during the current school year's first semester.

Additional funds, perhaps another 1.25 million, are tentatively promised for the second semester.

The Miami Herald

The money will be sent to the county "in a very few days." The ever-increasing number of refugees has left the Dade School Board trapped in a tightening squeeze of facilities and personnel.

P. 1 B

Both, board officials said, can be expanded.

Sat. 10-14-61

"We had 9,400 refugee children enrolled as of Friday," said Ed Hurst, associate superintendent of services.

"And there are 10,000 adult students, plus another 1,000 taking full time English courses which will enable them to seek employment and new homes elsewhere in the United States."

Cuban refugee children are enrolling in County schools at the rate of 75 or more a day. Last Monday and Tuesday the rate hit 225 for the two-day period.

"The government funds will permit us to meet the crisis, carry on the necessary work and do even more," Hurst said.

The "crisis" reached its peak when Congress adjourned without approving a 2.4-million-dollar relief bill which included funds for the school board here.

It was continued when Florida Sen. George Smathers was unable to tack the necessary funds onto the foreign aid bill through an amendment.

A spokesman for Smathers said Friday the senator "went to bat" before Health, Education and Welfare officials in Washington and the release of contingency funds was agreed upon.

Jack Hughes, executives officer of the Office of Education in Washington, told The Herald Friday that his office was "intending" to make the same allocation for the school year's second semester.

However, Smathers' spokesman said Congress would be back in session prior to that date and it was hoped additional funds could be approved through legislative channels.

Parents Ask for Hearing

The Miami Herald
P 1 B

Not mad at anybody, just concerned, 100 parents of Miami grade school children have petitioned for a hearing before the school board on problems created in the classroom by the influx of Cuban refugees.

Sat. 10-14-61

The parents represent 66 families with children attending Santa Clara Elementary School, 1051 NW 29th Ter.

They presented their petition Friday.

Miami, Fla

Ed Hurst, associate superintendent for business of the Dade County Board of Public Instruction, said they would be heard next Wednesday "some time after 1 p.m." at the regular board meeting.

Twenty per cent of the Santa Clara enrollment of 570 pupils was, as of Sept. 29, non-English speaking.

The request for hearing, the petition said, is "relative to the impact of the high ratio of admittance in certain schools of unfortunate Cuban refugee children and the ensuing disruption caused by custom and language barriers to the teacher, pupils of both our countries and the high standard of education now enjoyed in this country."

This is the first such request received by the board, said W. W. Matthews, associate superintendent for instruction.



—AP Wirephoto

Mrs. Collins Confers with Attorney for Probe Group

Suit Seen to Stop Federal Aid to Segregated Schools

TALLAHASSEE, Feb. 9 (AP)—The Florida Legislative Investigating Committee said today it had information that a group of Norfolk, Va., Negroes planned to file suit to knock out federal subsidies to segregated educational institutions.

State Rep. William O'Neill of Ocala, the committee chairman, distributed to newsmen covering the committee hearing copies of a lawsuit he said would be filed next week in the U.S. District Court for the District of Columbia.

O'Neill said a copy of the legal papers was handed to a committee undercover man, Ernest Salley of DeLand, by Len Holt, Negro attorney of Norfolk.

The suit, which lists Holt and four others as plaintiffs, will seek an order to restrain appropriation or disbursement of federal funds to any institution where Negroes are barred solely because of race.

Named as defendants are President Kennedy, Welfare Secretary Abraham Ribicoff, Secretary of the Treasury Douglas Dillon and treasurer of the United States Elizabeth Smith.

The complaint said that by law or customs segregation existed in institutions in Mississippi, Alabama, Virginia, Louisiana, South Carolina, North Carolina, Arkansas, Texas, Florida and Georgia.

Many public institutions receiving federal aid defy and ignore a provision in the U.S. Constitution prohibiting racial discrimination and racial segregation, the action said.

Listed as plaintiffs with Holt were Joseph Jordan Jr., Edward Dawley Jr. Barbara Thomas and John Golden Jr., all of Norfolk.

Holt was here earlier today as attorney for Carl Braden, Louisville, Ky., field secretary for the Southern Conference Educational Fund Inc., but he and Braden had left by the time copies of the suit were distributed and could not be reached for comment.

Second Negro Is Admitted To Dade County School

MIAMI, (UPI) — A second Negro pupil was admitted Monday to Fulford Elementary School in North Miami Beach.

The Dade County School Board admitted Charles E. Alford, 10, a fourth grader and the son of Mr. and Mrs. Joshua Alford of North Miami Beach, by unanimous vote and without comment.

It was the first time the board admitted a Negro to a predominantly white school without a public hearing.

Barbara Pearson another Negro, is already attending the school, which has some 300 white students. The Pearson girl is in the first grade.

Young Alford is a transfer student from an integrated Air Force base school in the Midwest. His father is an airman.

School officials told the board the boy lives only a mile and a half from the Fulford School and over six miles from the nearest Negro schools.

Board chairman Jane Roberts said the boy is qualified to attend the Fulford School under Florida's pupil assignment law.

Escambia County, Fla., Bows To Mixing Order

PENSACOLA, Fla. April 12 (AP)—The Escambia County School Board today agreed to comply with a U. S. District Court order directing the integration of the public school system.

The board adopted a resolution calling on the school superintendent, Dr. W. J. Woodham, and school board attorneys to prepare a plan for gradual desegregation of the city-county schools.

The board voted after an attorney for the school system, William Fisher, told the members they have no alternative except to comply with an order issued by U. S. Dist. Judge G. Harrold Carswell at Tallahassee March 17.

At that time, Carswell gave the board 90 days within which to file a plan of desegregation. It was the first public school integration order affecting a Florida school system. Public schools in Dade (Miami) County were integrated voluntarily two years ago.

Carswell had heard arguments on the integration case here last January and then gave opposing sides until March 1 to submit briefs to him.

After the school board adopted its resolution today, Superintendent Woodham asked "prayerful, sympathetic support from all citizens of Escambia County in dealing with the integration problem." He added:

"I think every single citizen of the county recognized the seriousness of the problem confronting the school board and the superintendent and, if ever there was a time we needed prayerful support, this is the time."

Woodham asked all residents who have any ideas on how to meet the problem to submit their ideas to the school board.

Florida County Ordered To End Discrimination

TALLAHASSEE, Fla., March 17 (UPI)—A Federal district judge today ordered an end to racial discrimination in the assignment of pupils in Florida's Escambia County a heavily-populated industrial and military center on the Alabama border.

Judge Harrold Carswell gave the county Shool Board 90 days in which to submit to the court a plan that would permit gradual desegregation of schools in Pensacola and elsewhere in the county.

The only desegregated shool in Florida, outside of military bases, is the Orchard Villa School in Miami which was voluntarily desegregated by the School Board two years ago Only two white children are enrolled along with several hundred Negroes

Duval Board Denies Operation Of Dual Schools

JACKSONVILLE, Fla. (UPI) — The Duval County School Board denied Monday it is operating a compulsory biracial school system or refusing to let Negroes enter certain schools "on the basis of race, creed or color."

The board also said, in an answer to a suit seeking desegregation of Duval County schools that it was not ordered by any law to integrate, but only to "refrain from segregating pupils solely by discrimination based on race or color".

"Voluntary segregation by pupils and parents is permissible and lawful," the school board said in an answer submitted by attorneys Fred Kent, Davisson F. Dunlap and Elliott Adams.

The integration suit was filed in Federal Court last December on behalf of seven Negro parents and 14 children. Later two parents and their five children withdrew when it was learned they were not residents of the county when the suit was entered.

The school board contended it was operating according to the Florida pupil assignment law, and routinely denied assignment of pupils or teachers on the basis of color.

COURT SCHOOL ORDER

Escambia Agrees To Desegregation

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"I think every single citizen of the county recognized the seriousness of the problem confronting the school board and the superintendent and, if ever there was a time we needed prayerful support, this is the time."

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Prior to voting on the resolutin, board member L. D. McArthur asked Fisher what would happen if the board refused to comply with the desegregation order. The attorney answered, "You'll probably go to jail."

Fisher said he hopes the public in Escambia County has come to recognize the inevitability of school integration.

"They may dislike it, but they realize it must be done," the attorney said.

"You are not obligated to throw the schools wide open, but you must adopt a plan of gradual desegregation."

The suit was filed more than a year ago by attorneys for the National Association for the Advancement of Colored People in behalf of 12 Pensacola Negro children.

Board OKs Pensacola Integration

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SUBMIT BRIEFS

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"They may dislike it, but they realize it must be done," the attorney said.

Answering NAACP Suit

'We Don't Segregate,' Jax School Board Says

(Courier Press Service)

JACKSONVILLE, Fla. — Answering a suit by the NAACP seeking integration of public schools in Duval County, the Duval County Board of Education formally claimed last week that there is no compulsory biracial system in existence here.

The board claims that segregation did exist prior to 1956, but says that in that year the policy was reevaluated and the school board adopted the use of the pupil placement law without racially designated provisions whereby a student could apply to the school of his choice.

The answer claims the Negro plaintiffs have exhausted their administrative remedies within the school system.

■

THE SUIT was filed by Atty. Earl M. Johnson of this city, and Mrs. Constance Baker Motley of New York City, on behalf of seven parents for 14 children. But subsequent withdrawals of parents have reduced the number of parents to four with seven children.

The case is being heard before Federal District Judge Bryan Simpson, who has already turned down a school board motion to dismiss the suit and to strike certain portions of its charges.

18 Districts In South Plan Desegregation

NASHVILLE (Special) — At least 18 Southern school districts plan to desegregate for the first time this fall, four by court order and 14 through voluntary programs.

Southern School News reported in its August issue that the districts planning their initial admission of Negroes to formerly all white schools at the beginning of the 1961-62 term include six in Virginia, four in Texas, three in Tennessee, two in North Carolina, and one each in Florida, Georgia and Kentucky.

Desegregating these districts will make 801 districts with biracial schools in the 17 Southern and border states, plus the District of Columbia. The area has 6,663 school districts but only 2,813 are biracial. A biracial district is one having both white and Negro students, whether the schools are segregated or desegregated.

In addition to these first desegregations announced for the fall, Southern School News correspondents report other districts already desegregated will have more Negroes in biracial classes. The number of Negroes attending classes with whites was expected to remain at about seven per cent of the Negroes in the region's public schools.

Five colleges, including four private and church institutions, will admit Negroes for the first time in the fall quarter. Georgia Tech has accepted voluntarily three Atlanta Negro freshmen. Another public college, Texas Tech, recently altered its segregation policy by quietly admitting Negroes for the summer session.

The private schools desegregating this fall will be Mars Hill College, Duke University and Davidson College, all in North Carolina, and Oklahoma Christian College.

The number of completely segregated states will drop by one again this year. Georgia will have its first desegregated school below the college level when 10 Negroes enter the 11th and 12th grades of Atlanta high schools. The grade-a-year plan was ordered by a federal district court.

Alabama, Mississippi and South Carolina are not expected to admit any Negroes to white schools at the public school or college level. Reports have been made that Negroes will attempt to register at public colleges in Alabama and South Carolina.

The six Virginia communities desegregating for the first time will make 17 districts in the state have biracial schools.

Two large Texas cities, Dallas and Galveston, will desegregate under court order, while two small communities, Lockney in Floyd County, and Judson Rural School in Bexar County, voted last spring to desegregate voluntarily this fall.

In North Carolina, Asheville announced a desegregation policy for the first three grades but admitted five Negro students to only the first and second grades. Dunn High School in Harnett County, scene of several Indian protests over segregated schools last year, has accepted 20 Indians this year. Four other districts have increased their Negro assignments in white schools for the coming year.

Completion of a new school in Carrollton, Ky., will enable it to desegregate for the first time, involving about 25 Negroes. Knox County has a federal court order to end its limited desegregation program and to open all schools to Negroes.

Escambia County (Pensacola) in the Florida panhandle has agreed to a federal court order to desegregate when the school term begins. It would be the state's second desegregated district. Dade County (Miami) will increase its desegregated schools from four to 10, raising the number of Negroes in biracial schools from 28 last year to about 250.

Action Is Light On Integration

Only Three Southern And Border States Move On School Issues

Special to The Commercial Appeal

NASHVILLE, Aug. 10.—Only three of 14 legislatures meeting this year in southern and border states have taken major actions on issues of school segregation-desegregation, Southern School News reports in its August issue.

Louisiana and Georgia produced the bulk of the 1961 legislation on the subject, indluding school-closing and tuition-grant measures, and Arkansas legislators sought to bolster their stand against compulsory attendance at bi racial schools, the paper said.

Lawmakers of most other states in the region either bypassed the issue or touched lightly on it, some of tem turning attention to issues raised by so-called "freddom riders" and sit-in demonstrators. In four border states with laws or sit-in demonstrators. In four border states with laws or policies calling for non-segregated schools and colleges, assemblies enacted or considered measures to remove remaining racial aspects in their educational programs.

Louisiana Sets Stage

Louisiana's General Assembly, which met in three sessions during the first half fo 1961, set the stage for a major test of whether the 14th Amendment to the U S. Constitution requires staes to provide public. education. In Virginia, a similar issue is involved in a pending lawsuit challenging the closing of Prince Edward County public schools in lieu of court-ordered desegregation.

Among more than a dozen actions relating to races and the schools, Louisiana legislators enacted a law providing that school boards may call elections to determine whether voters would rather close public schools than have them desegregated.

The school board of St. Helena BParish a rural county under court order to desegregate its schools "with all deliberate speed," called an election under the law, and the vote was overwhelmingly to close the schools. The law, now under attack in Federal District Court, has been tied to provisions enacted last year for private, nonsectarian schools financed by state grants-in-aid to individual pupils, and the Legislature appropriated 4.5 million dollars for tuition grants without specifications as to its distribution.

Local option by referendum on both school closing and reopening highlighted five measures on races and schools enacted by the Georgia Legislature. Under the new Georgia law, also accompanied by a revised tuition-grants law for attendance at private schools, voters within school districts not only could decide whether the schools should be closed but also whether they should bereopened. Referenda would be called by petitions to school boards.

Provide Choices

Both Georgia and Arkansas assemblies proposed amendments to their state constitutions intended to provide a choice by pupils or parents as to attendance at segregated or nonsegregated schools.

Arkansans will vote next year on an amendment, backed by Gov. Orval E. Faubus, which would specify that no child shall be denied his constitutional right to a free public education because of his refusal t attend school with a student of another race, provided the child's school board believes tha such attendance would be inimical to his welfare. The measure duplicates provisions in four existing Arkansas laws.

Georgia voters next year will decide for aor against an amendment designed to spell out freedom from "compulsory association" at all levels of public education.

Another Arkansas act, advocated by the Governor, provides that local school districts shall be reimbursed from state funds for up to half the legal expense of fighting desegregation lawsuits, and in "hardship" cases the reimbursement may be more.

Integrated School Areas To Gain By 18

14 Dixie Districts To Change Voluntarily

Nashville, Tenn., Aug. 10 (UP) —Southern School News reported today at least 18 more school districts in Dixie will desegregate this fall, 14 of them voluntarily.

But the publication, published monthly by the Southern Education Reporting Service, said there will be no increase in the percentage of Negroes attending schools with white students.

The report said six of the newly integrated school districts are in Virginia. There will be four in Texas, three in Tennessee, two in North Carolina and one each in Florida, Georgia and Kentucky.

The education reporting service, supported by the Ford Foundation, keeps a running check of racial developments in 17 Southern and border states and the District of Columbia.

7 Pct. In Mixed Classes

The report said the additional 18 districts planning desegregation will bring to 801 the number of school districts in the South operating biracial schools.

Despite the increase in the number of integrated schools, the publication said, only about 7 per cent of the Negroes attending schools in the South will be taught in mixed classes.

Four Atlanta high schools will admit 10 Negroes to 11th and 12th grade classes later this month, marking the first time Georgia has permitted mixed classes below the college level.

Miami's Dade County has increased the number of desegregated schools from four to 10, Southern School News said. There will be about 250 Negroes in integrated Miami schools, compared with a total of 28 last year.

Some Biracial School Districts Show Reversal

NASHVILLE, Tenn. — Removing obstacles to the admission of Negroes to schools with whites has not always ended with large-scale desegregation, Southern School News reported in a special article in the November issue.

Recent surveys show that some new biracial districts and schools have reversed their original racial predominance, with the incoming minority race becoming the large majority. Other desegregated schools have changed by stages from an all-white to an all-Negro enrollment — resegregation.

And in other places, even though the schools had full desegregation policies, the Negro pupils have shown little desire to leave their uniracial schools to attend classes with whites.

MIGRATION

In most cases the change in racial predominance resulted from migration — movement across state lines, from the North to the South, from one neighborhood to another, from the city to the suburbs.

In Baltimore and Washington, two of the first large cities completely to desegregate their school systems after the Supreme Court's 1954 segregation ruling, the enrollment majority in the public schools has shifted from white to Negro. The racial makeup of the public school systems changed because of the whites' city-to-suburbs flight, which is occurring in many of the nation's major cities. The racial composition of student bodies in individual schools switched because of changing neighborhoods.

A school official in St. Louis observed last month that the city had more segregation than shortly after the complete desegregation in September, 1955. St. Louis has experienced a heavy influx of Negroes from the South and a shift of racial groups from neighborhood to neighborhood.

ONE NEIGHBORHOOD

A changing neighborhood in Miami, Fla., helped speed one of Dade County's first desegregated schools, Orchard Villa from all-white in 1959 to predominantly white, to predominantly Negro, to all-Negro in 1960. The district is trying large-scale desegregation this year at another school, Earlington Heights, which again is in a neighborhood changing from white to Negro.

Two border states with considerable desegregation, Oklahoma and West Virginia, have noted decreases in Negro enrollment.

Oklahoma found in a statewide survey last year that the Negro enrollment in biracial schools had declined. The state has other communities where the Negro children have chosen to remain in uniracial schools, despite encouragement from various sources to transfer to biracial schools.

DECLINE IN ENROLLMENT

West Virginia, the first state after the '54 decision officially to desegregate all its districts having both Negroes and whites, has experienced a steady decline in school enrollment for several years. The decline was believed most acute among Negro children. The NAACP blamed the desegregated schools for failure to challenge the Negro students, but others think mechanization of the mines in the areas of heavy Negro population has caused the Negro families to move elsewhere.

In Delaware, currently in its first school year under a statewide order for complete desegregation of all grades and all schools, the number of Negro pupils in classes with whites rose above the 50 per cent mark. At the same time, the three county high schools for Negroes experienced increased enrollments, and a Negro school principal expressed the view that he could see no end to the county Negro school as such.

A new statistical study by the Maryland Department of Health revealed that a net of 175,522 whites left Baltimore city during the last decade, while a net of 40,754 nonwhites arrived in the city. At the same time, Maryland as a whole experienced the reverse situation — the net in-migration of 320,475 persons was 88 per cent white.

NON-WHITE POPULATION

The movement from the city had special significance for Baltimore schools. Of the net loss of whites, 64,000 were in the 25 - 44 year group, the ages of the bulk of parents of school-age children. Another 51,000 whites lost by the city were under 15 years, the ages for school children and upcoming pupils.

The non-white population of Maryland remains lower than the white, but the non-white increased at a faster rate than the white during the last decade. The Maryland survey showed a 35.8 increase of nonwhites and a 31.7 increase of whites during the 10-year period.

Most of the in-migration of whites in the state occurred in the metropolitan Baltimore area and in the Maryland suburbs of Washington. The white movement from Washington has steadily decreased the white enrollment in the public schools there until now Negro pupils comprise about 80 per cent of the total.

The city-to-suburbs movement has given Baltimore the first population decline in its history —about one per cent. Without mentioning race, Baltimore Mayor, J. Harold Grady, recently reviewed the effects the change is having on schools and other government services.

The mayor said that in many cases, substantial taxpayers have moved to the suburbs while citizens less able to pay taxes have moved in. Mayor Grady said:

"At the time when our people are most in need of good schools and the educational advantages which will help them overcome the economic, social and cultural handicaps under which many of them labor, the city government is far short of the fiscal resources we need to meet the challenge."

MORE SEGREGATED SCHOOLS

Dr. Houston R. Jackson, a Negro assistant superintendent of Baltimore schools, observed this past summer that Baltimore had more segregated Negro schools than it had before desegregation began in 1954. He pointed to the construction of at least 11 new schools to serve Negro residential areas. Most of the former Negro schools have remained all-Negro, he said; and a large number of formerly white schools have become predominantly Negro.

In St. Louis, where the racial problems are like Baltimore's, city school official has made similar observations about the school desegregation situation. William A. Kottmeyer, deputy superintendent of instruction, said in October that St. Louis public schools probably have more actual segregation than shortly after the city system completed official desegregation in September, 1955.

Kottmeyer offered as one reason the tendency of white residents to move out of areas as Negroes move in. Once a school gets a sizeable proportion of Negroes, he said, the proportion of white pupils declines quickly. Whites move to another neighborhood or out of the city as Negroes move in, generally migrating to the South.

Before desegregation in 1955, the city system had 44,779 whites and 27,921 Negro students in elementary schools. Although no official figures are available today by race, the city's elementary schools have more than 85,000 students, with 55 per cent of them estimated to be Negro.

CHANGING NEIGHBORHOODS

The high school enrollment in 1955 was 8,898 white and 4,236 Negro, but the current high school enrollment of some 16,000 is believed to be 40 per cent Negro.

Kottmeyer said no data was available but he thought the number of Negro children attending elementary schools also attended by an appreciable number of whites was less than in 1955. And he said it was obvious that more Negro children attend de facto segregated schools than the city had in 1955.

Again, in Miami, Fla., a neighborhood changing from white to Negro affected school desegregation program. Dade County became in 1959 the first Florida district to desegregate, and Orchard Villa elementary was one of the first white schools opened to Negroes. Early in the second year of desegregation, the last white student withdrew from the school.

The county has nine biracial schools this school year and all but one used by the children from an Air Force base are in Miami's northwest section where Negroes are moving into previously white areas. Nearly all the schools are in or near this type neighborhood.

The school superintendent, Dr. Joe Hall, has reported that the population shift appeared to be accelerating since the assignment surveys last spring. He considered the shift much faster than anticipated and said that the school administration was preparing to absorb more Negroes into the former white schools, probably before the end of the year.

Oklahoma City has had white schools that were desegregated but became resegregated through a change in the neighborhood's racial makeup. Creston Hills elementary school, a former white school, received its first Negro pupils in September, 1955, when the system officially desegregated. By the end of the school year in May, 1956, the Negroes outnumbered the whites.

REPLACE WHITE FACULTY

In September of 1956, a Negro faculty replaced the white teachers and all the white children transferred, leaving an all-Negro student body. Culbertson elementary and Webster Junior High experienced similar conversions from all-white to all-Negro over a period of a few years.

Culbertson was another eastside school that became desegregated in 1955. By the end of the 1959-60 school year, it had only three white pupils, except for 35 special education students. In May of 1960, the school board ordered a sweeping change in eastside elementary attendance areas. In the process, Culbertson was assigned a Negro faculty, effective with the fall semester. In 1960-61, the school had only Negro pupils.

Like Culbertson, Webster Junior High was located on the border of Negro and white residential areas and became desegregated in 1955. By the spring of 1960, the school had only about seven white students. In the revision of the eastside attendance area, the white teachers were transferred and the faculty and student body of Moon Junior High, a Negro school, were assigned to Webster, which was renamed Moon.

ALL NEGRO STUDENT BODY

The old Moon Junior High became Woodson elementary school and has an all-Negro student body. The remaining white students at Webster transferred to Central High school..

The changes involving Culbertson and Webster were made necessary by an expanding Negro population, which had caused an over-crowding of Negro schools on the eastside. The board converted the two schools to Negro to obtain a more even distribution of enrollments.

Oklahoma City lost three more biracial schools with the opening of the 1961-62 term. Walnut Grove elementary school enrolled no white pupils after having a Negro faculty assigned during the summer.

NEIGHBORS UNLIMITED

Wilson and Emerson elementary schools also dropped off the biracial list. Wilson had one Negro student last year who did not return in the fall, and

Emerson had two.

A Tulsa organization, Neighbors Unlimited, and the Tulsa school board have fought to keep Burroughs elementary school biracial as the surrounding neighborhood changed from white to Negro. The school still has a white principal and faculty, but only 17 white children were among the 950 pupils who enrolled in the fall.

Two white families, one with five children, moved from the Burroughs area, and a third family transferred its children to another school. At the end of the first month of school, Burroughs had about eight whites.

Oklahoma has desegregated 190 of its 240 districts having both Negro and white pupils. But last year's annual school survey showed a decline of Negro enrollment in the state's desegregated scools. Several counties increased the number of biracial schools but reported fewer Negroes attending them.

RESULTS OF SURVEY

When the results of the survey were published last fall, the president of all-Negro Langston University, William H. Hale, said that he felt fewer Negro pupils were coming from high school and going to college.

A school principal, Harly M. Day of Chickasha high school, said that he believed "our white high schools won't hold the Negroes as well as the Negro school did." The principal explained that until the year before the Negroes had a choice of attending their own school or the predominantly white Chickasha high. Then the top three grades were closed at the Negro school and all Negroes were sent to Chickasha.

"We had a bunch of Negro students come over with excellent grades — As and Bs — but over here they barely get by," Day said. "However," he added, "I'm sure it's a psychological block as well as the fact they're not as well prepared."

For several years, West Virginia has suffered a decline in school enrollment. The biggest losses reportedly came among Negro children in coal mining counties hit hardest by mechanization. This year, the high school enrollment increased by 5,102 students, but the elementary school enrollment dropped by 5,990, for a net loss of 894.

The nine counties had high Negro populations because of the good-paying jobs available to Negroes in the mines. The cut-back in employment has caused them to leave with their families for other states.

However, an official of the West Virginia NAACP offered another view of the reported decrease. Willard Brown of Charleston said informal surveys by his organization indicated the Negro children had been discouraged in the desegregated schools and had dropped out. He charged that the teachers failed to challenge the Negro students, who then became discouraged at the limited opportunities for honors in school and jobs after graduation.

Speaking of this drop-out problem, State Supt. Rex M. Smith said:

"The continued increase in high school enrollment may be because of ever increasing study and concern and action by . . . educators on the drop-out problem, and several new ideas on keeping youngsters in school after the legal drop-out age of 16."

COLLEGE INTEGRATED

An example of an all-Negro school becoming predominantly white has occurred at West Virginia State College. A Negro institution before 1954, the school now has a student body more than 65 per cent white, although the faculty still is predominantly Negro.

Removal of all obstacles to desegregation has not always led to biracial schools. The Oklahoma district of Sand Springs, an industrial community west of Tulsa, continues to maintain separate schools and officials insist that no Negro has ever applied for transfer to a white school.

State equalization aid rules prevent most districts from operating separate school systems, but an old four-mill countywide levy has given Sand Spring Negroes a good school plant and a strong educational program.

COUNTY SCHOOL DESEGREGATION

Another small Oklahoma community, Muskogee, has been desegregated for six years but only 29 of the 2,000 Negro students attend school with whites. Muskogee Supt. Harry Simmons said that parents and the NAACP encouraged Negro students to enroll in white schools when the board ordered complete desegregation in 1955.

But Simmons said the Negro youth had a definite desire to attend their "own" schools;

"We let the Negroes do what they want within reason. We provide them with the best facilities, and many times superior to the facilities for the whites, and you see the results."

One Negro resident of Muskogee, Willie R. Lee, had a different explanation. Lee, a hospital orderly, conceded that school officials had not exerted their influence to hold down desegregation but said that Negroes have not enrolled in white schools because they don't want to "stir up trouble."

OCTOBER
DESEGREGATION
PRESIDENT KENNEDY

JFK Praises Desegregation Feat

WASHINGTON (AP)—President Kennedy said Thursday that what has happened toward desegregating schools in Memphis, New Orleans and elsewhere, "reflects credit on the United States throughout the world."

Negroes entered white schools in Memphis for the first time this week. There were no disturbances.

Kennedy said that for the third time this fall he has had the good fortune to call attention of the nation to the progress being made "in the peaceful and voluntary desegregation of our schools in compliance with the mandate of the Constitution."

The statement continued: "This week, after months of work by the school board and other officials in Memphis, Tenn., four schools in that city were peacefully desegregated in compliance with the law and without disorder. This was again the fruit of mutual respect and cooperation by the leaders of both races and by public and forthright support by the mayor, the commissioner of police, business leaders, and other citizens for the action of the Memphis School Board.

"In New Orleans last month, following the developments in Atlanta, Dallas, Little Rock and many other cities in the South, there was a new demonstration by the people of that city of their respect for law and of their acceptance of the necessity and wisdom of orderly compliance with the command of the law.

"The way in which our citizens are meeting their responsibilities under the law in Memphis, New Orleans and elsewhere reflects credit on the United States throughout the world."

President Lauds Memphis For Peaceful Integration

From The Commercial Appeal Washington Bureau

WASHINGTON, Oct. 5.—President Kennedy declared Thursday that the peaceful and voluntary desegregation of Memphis public schools "reflects credit on the United States throughout the world."

The President lauded Memphis leaders of both races in a special statement in which he also commended the absence of violence this school year in Dallas, Atlanta, New Orleans, Little Rock and other Southern cities.

"For the third time this fall," the President's statement said, "I have the good fortune to call the attention of the nation to the progress which is being made in the peaceful and voluntary desegregation of our schools in compliance with the mandate of the Constitution.

"This week after months of work by the School Board and other officials in Memphis, Tenn., four schools in that city were peacefully desegregated in compliance with the law and without disorder. This was again the fruit of mutual respect and co-operation by the leaders of both races and by public and forthright support by the mayor, the commissioner of police, business leaders, and other citizens for the action of the Memphis School Board.

"In New Orleans last month following the developments in Atlanta, Dallas, Little Rock, and many other cities in the South there was a demonstration by the people of that city of their respect for law and of their acceptance of the necessity and wisdom of orderly compliance with the command of the law.

"The way in which our citizens are meeting their responsibilities under the law in Memphis, New Orleans and elsewhere reflects credit on the United States throughout the world."

Attendance Increased At Integrated Schools

Attendance rose yesterday in four previously all white Memphis public schools where 13 Negro first graders were admitted Tuesday.

There were no incidents. Some 200 policemen still were on duty at the four schools and will remain there indefinitely.

Absentees, which never had been above normal, showed some signs of climbing Tuesday and Wednesday but yesterday were less than five per cent of enrollment at the four schools.

An absentee rate of eight per cent is considered normal.

At all four schools, 73 children were missing yesterday and 106 were absent Wednesday. The total Tuesday was 98 and Monday, the day before desegregation, 71 pupils were out.

Alvin Freeman, 6, son of Mr. and Mrs. Sam Freeman of 986 Keel and one of the Negro youngsters assigned to Gordon, was absent yesterday with a kidney ailment.

PRESIDENT APPLAUDS DESEGREGATION GAIN

WASHINGTON, Oct. 6 (AP) —President Kennedy hailed yesterday the progress in desegregating schools in Memphis, New Orleans and elsewhere. He said it reflected credit on the United States throughout the world.

Negroes entered white schools in Memphis for the first time this week. There were no disturbances.

Mr. Kennedy said that for the third time this fall he had the good fortune to call the nation's attention to the progress being made "in the peaceful and voluntary desegregation of our schools in compliance with the candate of the Constitution."

His statement continued, in part:

"This week, after months of work by the school board and other officials in Memphis, Tenn., four schools in that city were peacefully desegregated in compliance with the law and without disorder.

"In New Orleans last month, following the developments in Atlanta, Dallas, Little Rock and many other cities in the South, there was a new demonstration by the people of that city of their respect for law.

"The way in which our citizens are meeting their responsibilities under the law in Memphis, New Orleans and elsewhere reflects credit on the United States throughout the world."

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GENERAL

Javits Asks Bill To Force Integration

Montgomery Advertiser

WASHINGTON (AP) — Sen. Jacob K. Javits, R-N.Y., urged Atty. Gen. Robert F. Kennedy Saturday to push legislation to permit the government to seek injunctions to enforce school desegregation. 8 11A

The New Yorker, in a letter to Kennedy, said it has become clear such legislation is needed.

Such power was contained in a section of a 1957 Civil Rights Bill sponsored by the Eisenhower administration but eliminated before the bill was passed. Under the section, known as part three, the justice department could have brought injunction suits to force all types of civil rights; as it passed, the bill was limited largely to voting rights.

Javits noted that he has pending before the senate judiciary committee a bill to enact this provision into law.

"I would appreciate your comment on two aspects of this matter which have recently come into sharp focus," the senator wrote.

SUN. 11-12-61

"First, it is apparent that although the justice department has instituted a number of suits to enjoin discrimination in interstate commerce and in voting, it has commenced no suits to enjoin school desegregation and has made only one, unsuccessful, attempt to intervene in a privately brought school suit, the Prince Edward County (Virginia) case.

Montgomery Ala

"In my view, these facts confirm the premise behind the part three proposal that without such specific authorization the attorney general has no power to institute or intervene in school desegregation cases.

Forced Integration Hurts The Cause

The Chicago Daily News

Montgomery Advertiser

THE parents of Chicago's 24,000 children attending half-day schools have a just grievance and a right to insist that it be redressed.

That the vast majority of these pupils are Negro is not necessarily evidence of any deliberate segregation policy by the school board. Segregation begins at the housing level, and all-Negro neighborhoods are likely to have all-Negro or predominantly-Negro schools. The neighborhood school plan in Chicago has powerful supporting arguments — conveniences of access and proximity of parents to children in case of emergency. A deliberate policy of transporting masses of children long distances simply to enforce intermingling of races would be an impractical approach to the real problem.

But to follow an arbitrary policy of denying access to convenient, available full-time school facilities to those parents enterprising enough to transport their own children strikes us as equally bad.

Sat 10-22-61

Superintendent Willis has promised the Board of Education a detailed study of what unused facilities are available in what schools. Hopefully, this report will be presented at the board's next meeting on Oct. 24.

We urge the board to consider making those facilities available to the double-shift children on some controlled basis.

It should be possible, for example, to designate specific areas within the crowded districts as subject to transfer of pupils to the nearest schools with surplus seats. Car pools could probably be arranged so as to avoid an excessive burden of long-distance transportation, which is not the responsibility of the school board in any event.

Montgomery Ala

We think, moreover, that such arrangements should be temporary, to continue only until the school building program can provide full-time facilities for children in their own neighborhoods.

For we agree with Dr. James G. Conant that the answer to racial segregation will not be found in the obvious pressure device of transporting Negro children long distances merely for the purpose of mingling the races. Such an artifice could well create more problems than it cures, and set back the cause it sought to advance.

Rather, as Dr. Conant suggests, the emphasis should be upon making as certain as possible that neighborhoods essentially Negro have educational opportunities on a par with other neighborhoods. Meanwhile, continued emphasis should be placed upon insuring Negro families increasing opoprtunity to improve their economic status, and to move freely into homes and neighborhoods of their own choosing.

NOVEMBER

SEN. JACOB K. JAVITS- ASKS BILL TO FORCE INTEGRATION

School Desegregation Bill's Hearings Delayed

The Evening Star P. A2

Washington DC

By DAVID S. BRODER
Star Staff Writer

A "simple human misunderstanding" has resulted in postponement of scheduled December hearings on a bill to speed school desegregation. June 11-14-61

Chairman Morse of the Senate Education Subcommittee announced the delay yesterday. He said he had learned that the bill, sponsored by Senator Clark, Democrat of Pennsylvania, had not officially been referred to his subcommittee by the full Labor and Public Welfare Committee headed by Senator Hill, Democrat of Alabama. The subcommittee had scheduled hearings for December 12-15.

Informed sources said the postponement resulted from a "misunderstanding" between the sponsor and the subcommittee chairman on one hand, and Senator Hill on the other.

The former thought they had Senator Hills approval to go ahead and take testimony on the measure, but it developed that he had thought they were referring to hearings on another bill.

Sign of '62 "Climate"

The mild flap stirred some interest in the Capitol as a possible indication of the congressional climate on civil rights legislation next year. In 1961 Senate action on civil rights was confined to a two-year extension of the Civil Rights Commission and the confirmation of two new members of that body.

The Clark bill is one of six measures he drafted last year as part of a pre-election assignment by President Kennedy. Its main provision would require all school districts with racially-separate systems to propose desegregation plans by a fixed date.

The administration in 1961 did not indorse the Clark bill or submit civil rights proposals of its own. Indications today were that some administration officials welcomed the delay in the scheduled hearings on the bill, because it will give them more time to decide what, if any, measures to indorse in this area. This decision, reliable sources said today, has not yet been made.

At the same time, other administration officials interpreted Senator Hill's action as an indication that Southern opposition to civil rights moves may be stiffer in 1962 than it was last year, when the extension of the Civil Rights Commission and the confirmation of its members went through relatively smoothly.

Hill Up For Re-election

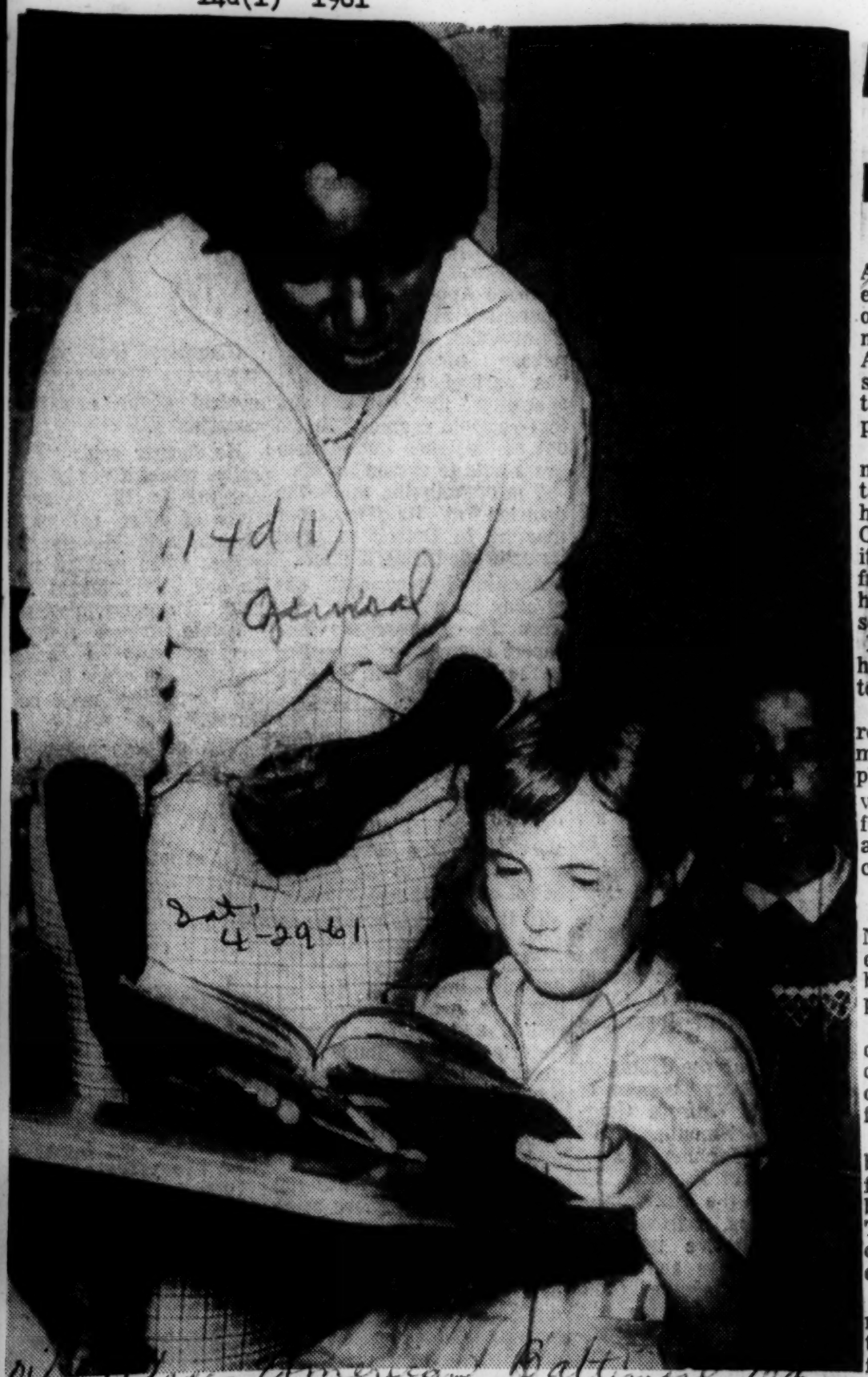
These administration sources noted that Senator Hill is one of seven Southern Democratic Senators up for re-election in 1962. There are indications already that two of them — Senator Johnston of South Carolina and Senator Fulbright of Arkansas — will face opposition in the primaries from men who have criticized them for not fighting hard enough against civil rights moves in the Capitol.

Senator Johnston, a member of the Judiciary Committee that handles most civil rights bills, is expected to be opposed by Gov. Ernest F. (Fritz) Hollings of South Carolina. Senator Fulbright's likely opponent is either Arkansas Gov. Orvel E. Faubus or Representative Alford, segregationist spokesman from Little Rock.

The other Southern Democrats up for re-election next year are Senator Smathers of Florida, Senator Talmadge of Georgia, Senator Long of Louisiana and Senator Ervin of North Carolina, also a Judiciary Committee member.

14d(1) 1961

GENERAL



PERSONAL INSTRUCTION — Monisha Moore, 7, gets personal instruction from Miss Earline Evans, her second grade teacher in the school she attends near Sevierville, Tenn. Monisha's parents said they enrolled her in the colored school because they were dissatisfied with her progress in white school she had been attending.

Monisha enrolled in school nearest home, father explains

SEVIERVILLE, Tenn. — A Sevier County white farmer enrolled his seven - year-old daughter in the school nearest his home last week. All the other pupils in the school are colored, the teachers are colored and the principal is colored.

Bruce Moore, however, did not let the color question dictate his choice. He placed his daughter, Monisha, in the Cynthianna School because it was only a quarter mile from his house and because her progress in an all-white school was unsatisfactory.

Before the switch, Monisha had to ride ten miles daily to and from school.

According to Sidney Gilreath, county school board member, "All the white people of the community are very, very upset. We are not for integration in this county and it won't happen until the court orders it here."

* * *

HOWEVER, SOME of Moore's white neighbors are eying his move with interest because they have similar problems.

One local observer predicted that, barring any incidents, still more white children would transfer in the fall.

Meanwhile, the school board has failed to give official sanction to the move but still has not forbidden it. The child is, although unofficially, very much a part of Cynthianna School.

Miss Earlene Evans, Monisha's new teacher, said that her work was below first grade level when she entered but she is now doing better. She is in the second grade.

* * *

THE ATLANTA (Ga.) board of education meets this week to give final approval of the plan to desegregate 11th and 12th grades. The board is under federal court orders to start integration in September.

Applications for transfer have already been authorized for filing. The method of processing these applications is to be decided on at this week's meeting.

* * *

THE MEMPHIS (Tenn.) board of education is "under a clear duty to . . bring about an end of racial segregation," said Federal Judge M. S. Boyd.

He denied, however, a plea filed by colored parents that the schools be desegregated. He said members of the board have already fulfilled their duty "as a matter of fact when they set up operations under the pupil placement law plan."

This leaves the 103,000 pupils in the system still segregated because the placement law has set up 22 different roadblocks to keep colored pupils in jimcrow schools.

The judge said that actually colored pupils approved of segregation because none applied for transfer. When students were brought before the court that had applied for transfer, the judge then said they had not gone through the required lengthy procedure.

It was reported that he U.S. Deparment of Justice is observing the case and may intervene.

* * *

IN CHARLOTTE, N.C. 150 white parents living in the Harding High School area asked the school board to desegregate the school rather than make it an all-colored one.

This attitude came as a surprise to the school board which remembered the 1957 disorder that forced Miss Dorothy Counts to leave the school. During her brief attendance as the first colored pupil at Harding High, Miss Counts was subjected to a torrent of abuse and insult from white adults and pupils.

She finally left the city to attend school in Philadelphia. Other Charlotte schools which were desegregated at the same time did not have the same kind of disorder that prevailed at Harding.

Parents in the same area that produced the rioters in 1957 say this year that they "have no objections to integration."

They said that if the school were made into an all-colored school, property values in the area would drop. The 800 - household community is evenly split racially.

Speaking before the School Board, Dr. Reginald A. Hawkins, a colored dentist, said the board was using the state pupil assignment law "not as a means of gradually desegregating the schools but as a means of evading desegregation."

He led a group of 50 colored parents who were interested in the Harding School plan.

* * *

IN ALBANY, GA. the 270,712 - member Georgia Congress of Parents and Teachers recommended that local PTA units help prepare their communities for school desegregation when it is ordered by the courts.

In its 47th annual meeting in Albany, the state group deplored Gov. Vandiver's veto of a bill which would repeal the age limit set for

admission to state-supported colleges.

The limit was imposed as a means of thwarting colored applicants (in a then current case, most of the applicants were over 21). As it worked out, however, it thwarted white applicants.

• • •

IN VALLEY STREAM, L.I., the Forest Road School invited 62 colored pupils from Brooklyn to visit. The third - and fourth - graders both reported they enjoyed their visit.

• • •

IN PRINCE EDWARD County, Va., 20 schools still stand empty as local segregationists keep the public schools closed. The 1,500 white pupils in the area attend public schools; the 1,750 colored pupils do not go to school.

Church Says Catholics in Congress Can Oppose Prelates on School Aid



Associated Press Wirephoto

Representative Frank Thompson Jr. of New Jersey, chairman of House Education subcommittee, chatting with witnesses that appeared before a subcommittee yesterday. They are, from left, the Rev. Dr. Gerald E. Knoff of National Council of Churches, Msgr. Frederick Hochwalt of National Catholic Welfare Conference, Methodist Bishop John Wesley Lord of Washington, Paul S. Blanchard, counsel for Protestants and Other Americans United for Separation of Church and State, and David La Driere, the president of Citizens for Educational Freedom.

By JOHN D. MORRIS

Special to The New York Times.

WASHINGTON, March 16 —A Roman Catholic spokesman assured Congress today that the church claimed no authority to compel its members to support the hierarchy's position in the dispute over Federal aid to education.

Msgr. Frederick G. Hochwalt made this statement to a House Education and Labor subcommittee in response to a question from the subcommittee's chairman, Representative Frank Thompson Jr., Democrat of New Jersey.

Catholics in Congress, like anyone else, are free to vote their convictions, Msgr. Hochwalt declared. He made it clear, however, that clerical leaders of the church were determined to use all legitimate political weapons to win Congressional approval of loans for parochial and other private schools. Msgr. Hochwalt is education director of the National Catholic Welfare Conference, the organization of the country's Catholic Bishops, Archbishops and Cardinals. He testified as the official spokesman for the hierarchy.

The Rev. Dr. Gerald E. Knoff, representing the National Council of Churches, told the subcommittee his organization favored Federal aid for public schools and opposed grants for private schools.

He said the council, consisting of Protestant and Orthodox churches with a membership of 38,000,000, had not formally taken a position on loans for pricate schools.

He said he was confident, however, that "a great majority" of the council's governing boar dopposed loans for parochial-school construction as "an outright departure from long-cherished principles of separation of church and state."

Testifies for Hierarchy

Another witness, Paul S. Blanshard, opposed any aid to church-related schools, on both moral and constitutional grounds. He testified as counsel for Protestants and Other Americans United for Separation of Church and State.

The subcommittee is considering the Administration's bill for $2,298,000,000 in grants for public and elementary schools. The National Catholic Welfare Conference is insisting on the addition of provisions for loans to private schools as a condition of its supoprt for the measure.

On the question whether the hierarchy was seeking to use its ecclesiastical powers to bind members of the church, Msgr. Hochwalt said:

"We would expect them to vote according to their conscience. Nobody is going to try to persuade them to vote against their better judgment."

Prelate Explains

In an interview later, the prelate explained that the church's authority over members was confined to matters of faith and morals. The school-aid issue is a moral question in a different sense, he pointed out, and Catholics are bound by individual conscience without regard to the church's position.

As to whether Catholic legislators should vote for an aid bill that made no provision for private schools, he told the subcommittee that "it would be a moral judgment—whether they thought they were voting for the greater common good or the lesser common good."

Msgr. Hochwalt testified that the hierarchy was not taking its stand for private-school loans as part of the Administration bill to embarrass President Kennedy, a Catholic. The President has expressed puzzlement at two recent news conferences over why the issue, relatively dormant in past debates over school aid, had come into prominence this year.

The church's clerical leaders "have been in this for a long time," Msgr. Hochwalt said, and "we have always felt that if Federal aid came we would hope that some way would be found to include us."

Stresses 'Public Service'

He emphasized that church leaders were asking for loans —not grants—for "the public service feature of our schools" as distinct from the schools' religious educational function.

"We don't ask aid to teach religion but loans to build schools which we use for public service," he testified.

Witnesses for a new organization called itizens for Educational Freedom, with headquarters in St. Louis, urged approval of what they called a "junior G. I. bill." Federal certificates, under the proposal, would be given to parents to help pay tuition in "schools of their choice," including church-controlled schools

Meanwhile, Senator Philip A. Hart, Democrat of Michigan, modified his announced support of loans for private schools. Mr. Hart, a Catholic, said at a news conference that he favored such a amendment only if it would not block passage of the Administration bill.

"I doubt whether there are the votes to do it," he remarked, "either by an amendment or a separate bill."

In another development, Representative Carroll D. Kearns of Pennsylvania, ranking Republican member of the House Education and Labor Committee, introduced a bill to liberalize Federal tax deductions for contributions to educational organizations.

Mr. Blanshard, in his testimony today, urged "temperate and tolerant" debate on the school-aid issue in this critical moment in the history of church and state in our country.

"But we do believe," he declared, "that this is the moment for all Americans who believe in the Constitution to stand up and be counted in supporting President Kennedy against all sectarian demands."

School Figure Clarified

In testimony Wednesday before a House subcommittee considering Federal aid to education, Charles H. Silver, president of the New York City Board of Education, noted that 450,000 of the city's elementary and high school pupils were enrolled in parochial and other non-public institutions.

This number was in addition to the 980,000 pupils enrolled in the city's public schools and was not part of that figure, as an article in The Times yesterday indicated.

Seminarians Oppose Aid

Special to The New York Times.

PRINCETON, N. J., March 15 —Opposition to "any form" of Federal aid to private or parochial schools was expressed today by 270 students, faculty members and administrators of the Princeton Theological Seminary.

The declaration was made in a formal petition mailed today to all members of Congress. The Presbyterian semifiary has 430 students and a faculty of fifty-five.

Segregation No Bar

Poll Favors No Bias Rule For Public School Aid

By George Gallup

Director, American Institute of Public Opinion

PRINCETON, N. J., Apr. 1.—If Congress should pass the Administration's Federal aid to education bill, a majority of the public would like to see such aid go to all public schools, irregardless of their present policies on racial integration in the classrooms.

About one person in four, however, feels that government aid should be withheld from those public schools which have thus far failed to integrate white and Negro students.

Snag on Integration

On several occasions in the past, school aid bills have hit a snag over an amendment that would bar financial help from schools which have not yet integrated—a restriction which has encountered sharp Southern opposition.

The author of this amendment — Rep. Adam Clayton Powell of Harlem—has not yet announced if he will attempt to include the measure in the present Administration bill.

Favor All Schools

To get the views of the public on this issue, Gallup Poll reporters were assigned to ask this question of a representative sample of 1,608 adults:

"If the Federal government in Washington decides to give money to aid education, should this money go to all public schools, or should it be withheld from schools which fail to integrate white and Negro students?"

The results nationwide:

Federal Aid To Public Schools	
Go to all public schools..	68%
Not to segregated	23
No opinion	9

Poll By Parties

Analysis of the results by the party affiliation of those interviewed reveals little difference of opinion on the issue. Roughly the same size majorities of Republican, Democratic and Independent voters believe that Federal aid should go to all public schools, and not just those who have integrated the races.

Here is the vote by party affiliation:

	Rep. %	Dem. %	Ind. %
Go to all public schools	66	67	70
Not to segregated ..	25	24	22
No opinion ...	9	9	8

Regional Attitudes

Substantial differences in attitudes about aid for segregated schools are noted in the major regions of the country.

In the Southern states—who would stand to suffer most from an amendment barring aid to segregated schools—sentiment is most highly in favor of government help going to all public schools without regard to segregation policies.

The greatest support for withholding aid to segregated schools is recorded in the Eastern states.

The vote by region:

Federal Aid To Public Schools	
—EAST—	
Go to all public schools	57%
Not to segregated	34
No opinion	9
—MIDWEST—	
Go to all public schools	69%
Not to segregated	21
No opinion	10
—SOUTH—	
Go to all public schools	78%
Not to segregated.....	15
No opinion	7
—FAR WEST—	
Go to all public schools	68%
Not to segregated.....	23
No opinion	9

Parochial School Aid

Although in favor of Federal aid for any public school—integrated or not — the public takes a different point of view when the issue turns on aid to parochial as well as public schools.

As reported earlier, 57 per cent of Americans interviewed feel that any government school aid should be limited to public schools only, and not go to Catholic and other private schools.

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Dallas, Atlanta Map Integration

By Bicknell Eubanks

Staff Correspondent of The Christian Science Monitor

Dallas

Two major southern cities who will begin public-school desegregation next September have drafted blueprints for student transfers which the school boards hope will help in a period of transition.

The two cities, Dallas and Atlanta, will begin at opposite poles in school grades. Dallas will start with the first grade. Atlanta's plan calls for desegregation to begin in the 11th and 12th grades.

Both cities have one aim in common, to avoid the jarring effects of turmoil such as shook Little Rock and New Orleans.

The school administrations in the two cities, at opposite ends of the South, have drawn heavily on the experiences of Little Rock and New Orleans in drawing up desegregation programs.

Close Study Given

They also have given close study to the experiences of Nashville and Houston, which started desegregation with much less difficulty. After a brief period of violence, in which a school building was dynamited, Nashville met its transition in a quieter fashion. Houston had little trouble.

Both Atlanta and Dallas will depend heavily on a program of student transfers. The transfers will be based on plans that have won approval from the respective federal district courts under which the desegregation programs were ordered.

In both cities, the programs got unanimous approval of the respective school boards, though there was considerable discussion.

The only outward difference was in Atlanta, where the only Negro member of the board, Dr. Rufus Clement, at first questioned some of the methods for appeals from decisions. Dr. O. W. Letson, school superintendent, satisfied his complaint, however, and he withdrew it.

The Atlanta program contains 14 points of administrative regulations. The plan has embraced what is described as 16 "factors" which the school administration may consider in granting or declining an application for transfer. Considerable office and paper work, as well as aptitude and related tests, are involved in both plans.

Act Drawn On

The Dallas program has drawn heavily on the Texas Pupil Placement Act, which was enacted by the Texas Legislature on recommendation of state school officials and which was "recommended" to the Dallas School District by the Fifth United States Circuit Court of Appeals after the judges struck out a provision that would have permitted transfer on grounds of race.

Among some of the provisions in the Dallas plan are:

- The possibility or threat of friction or disorder among pupils or others.
- The possibility of breaches of the peace or ill will, or economic retaliation within the community.
- Maintenance or severance of "established social and psychological relationships with other pupils and with teachers."
- The effect of admission of the pupil upon the academic progress of other students in a particular school.
- The scholastic aptitude, relative intelligence, and psychological qualification of the pupil seeking transfer.

The Dallas rules specifically insist that " no student shall be granted or denied a transfer on the basis of race or color."

SEPTEMBER OCTOBER

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INTEGRATION: NEW GAINS

The New York Times p 10 E Sun, Sep 3-61

Numerical Advances in the Schools Will Be Small This Year But Important Holdouts Are Falling

By CLAUDE SITTON

ATLANTA, Sept. 2—The opening of public schools in the South will bring few significant numerical gains in racial desegregation. Nevertheless, this may be one of the most important years from the standpoint of progress since the Supreme Court decision of 1954.

When that decision came down, seventeen Southern and border states and the District of Columbia maintained separate schools for whites and Negroes by law. The border states were the first to bring their practices into line. Many communities did so voluntarily without further prodding from the courts.

By the end of the 1960-61 school year, 48 per cent of the 436,419 Negro children in Delaware, Kentucky, Maryland, Missouri, Oklahoma, West Virginia and the District of Columbia were attending classes with whites. This is shown by the statistical summary of The Southern School News.

The six states of the middle south, a term describing attitude rather than location, moved much more slowly. A scattered handful of communities with few Negroes admitted them into white classrooms even before 1954. A few others acted subsequently on a voluntary basis but a majority of the school districts waited for Federal pressure to be applied.

Few Integrated Schools

Despite that pressure, only three-tenths of one per cent of the 1,277,115 Negro children in Arkansas, Florida, North Carolina, Tennessee, Texas and Virginia attended previously white schools last year.

The remaining "hard core five"—Alabama, Georgia, Louisiana, Mississippi and South Carolina—refused to move at all. The first breakthrough—a somewhat inconclusive one—came last year. Four Negro girls were admitted to the first grades of two New Orleans schools. But a segregationist boycott reduced white attendance at one school to a handful and at the other to none at all.

This year will bring some minor but nonetheless important additions to the desegregation districts. Southern Delaware, the major holdout area in the border states, is scheduled to begin complete desegregation along with the northern counties. The state board of education has been ordered by a Federal court to jettison its plan to integrate schools at the rate of one grade a year.

All of Delaware's ninety-two districts were under the grade-a-year policy last year. But only twenty-three districts actually had Negroes in classes with whites.

In the middle South, relatively small but important progress is promised in Virginia North Carolina and Texas. Virginia, which was once the leading exponent of massive resistance to the Supreme Court's edict, will desegregate eight new districts, all but one voluntarily.

North Carolina Negroes in desegregated classes will increase, according to estimates, from eighty-two to more than 200. Asheville will take its first step toward desegregation.

Texas will have some 4,000 Negroes in school with whites this year, an increase of approximately 500. Both Dallas and Galveston will start grade-a-year desegregation plans at the first grade level. Initial desegregation also has been scheduled at Lockney and Judson.

Nashville, Tenn., schools, in the fifth year of a grade-a-year or "stair-step" plan, expect a marked increase—from forty-one to 250. Kingsport, Johnson City and Washington County white schools will admit their first Negroes.

Important Step

But other developments far outweigh these in the long term struggle. One was the acceptance this week of nine Negro students by four white high schools in Atlanta. This marked the first desegregation in Georgia. Only Alabama, Mississippi and South Carolina are left in the defiant column.

As a result of legislative action last January, Georgia became the first state to retreat from massive resistance without first closing schools. The peaceful arrival of desegregation in Atlanta made it the first Deep South city to take the step without initial violence.

Atlanta's action was preceded by more than two years of careful planning by education officials and the police. Campaigns conducted by volunteers prepared the way for public acceptance. These efforts were backed by city officials, civic leaders, business and professional men and had extensive support from the press, radio and television.

Furthermore, some observers believe there is little room left for legal maneuver designed to evade compliance. "We have reached the point where the N. A. A. C. P. can start a case and push it through to a decision within a few months," said Leslie W. Dunbar, executive director of the Southern Regional Council.

New Ruling

One important development in this field was the recent ruling by Federal District Judge Oren Lewis of Richmond, Va., in the Prince Edward County desegregation controversy. He left the clear implication that state tuition grants for students attending private schools are legal only if a freedom of choice exists between public and private education. This choice was removed when the county board of supervisors refused to appropriate funds for operation of public schools.

A more telling blow to the segregationist cause came this week in New Orleans. A three-judge Federal panel sitting there found Louisiana's local option school closing law invalid. Ruling in a case involving rural St. Helena Parish (county), the court held that a state could no more give a community the right to close schools to avoid desegregation than it could close them itself.

Atlanta and New Orleans—which plans to admit five Negro pupils to four additional white schools this month—are the last of the major "moderate" cities to be desegregated. The nation may have yet to see the ultimate in massive resistance, for the Montgomerys, the Birminghams and the Jacksons remain. And the rural areas of the middle and deep South have yet to be touched.



Hungerford in The Pittsburgh Post-Gazette
"Marching through Georgia."

Area Schools Lead South in Integration

The Evening Star p. 18

Report Puts Maryland, Virginia First

Washington D.C.

Schools in nearby Maryland and Virginia have made more progress toward racial integration this school year than in any other area of the South, the United States Commission on Civil Rights repored today.

The Commission today submitted the second part of its 1961 report to Congress and the President.

Written shortly before the school year began, it reports 130 Negroes expected in formerly white schools in Arlington and Fairfax Counties, Va., as compared with 71 in 1960-61.

"In Montgomery County, Md.," the reports states, "the closing of the last three Negro schools marks the completion of a desegregation program by transfer of 764 Negro pupils to formerly white schools."

Baltimore Gains Cited

The report also lists Baltimore, Md., as the only city known to have adopted a "free choice of school method" for abandoning segregated schools. Even Baltimore's plan, however, includes some elements of rezoning and pupil assignment plans, the report states.

Baltimore, after six years of desegregation, still has Negroes or whites only attending 52 per cent of its schools, but, says the report, "a free, private choice of segregation does not violate the Constitution."

The report appears to criticize the rulings of the Fourth Circuit Court in Virginia which permitted delays in desegregation in Charlottesville, Va., and Norfolk, Va. of the ruling concerning a gradual time schedule for desegregation in Norfolk, the report says:

"Again, no proof was required to establish the necessity for delay, and no deadline for ultimate, full compliance was set. Under such circumstances it does not seem to be established that the board is moving toward full compliance with full deliberate speed."

23 Districts Desegregated

On Maryland desegregation, the report states that "all of the 23 school districts in Maryland having a biracial school enrollment have been desegregated as a matter of policy for several years, although only 15 actually operated biracial schools opened in September 1960, 45,943 out of a total Negro public school population in the State of about 135,000, or 34 per cent, were in school with white students.

"However, 39,206 of the Negro pupils atending biracial schools, or almost 85 per cent, were in the city of Baltimore. Of the remaining 15 per cent, more than half were in two suburban counties, Baltimore and Montgomery, and the balance scattered in 11 counties.

"The eight counties having a Negro school population and no biracial schools are, in general, rural and have a high proportion of Negroes."

Virginia Tuition Grants

The report reviews the development of tuition grants in Virginia and suggests that State funds for private schools may not be an escape from desegregation, in the long run. According to the report, the issue was decided in Kerr v. Enoch Pratt Free Library in 1945.

In that case, "a private corporation that maintained a school for librarians and received large annual grants from the city of Baltimore, was enjoined from refusing admission to a Negro pupil."

The report also quotes Arlington's superintendent of schools as testifying that in spite of special tutoring, the first Negro children admitted to white schools are working considerably below the average of other students.

It discusses the Home Study Program, Inc., a nonprofit effort to tutor the children of working-class Negroes living in a pocket community, Ken Gar, between Kensington and Garrett Park, Md.

This program, based on the volunteer work of college-educated tutors, has produced some improvement in schoolwork or attitude, or both, plus a marked decrease in delinquency, the group's executive secretary reported to the Commission.

School Mixing Stays Peaceful

The Commercial Appeal p. 1 col 5

No Incidents Are Reported As Southern Schools Integrate

Aug 30 61

By United Press International

Integration spread peacefully in schools in the South and Southwest yesterday, first day of the new school year, in marked contrast to the violence that frequently accompanied it in the past.

Memphis Tenn.

From Norfolk, Va., to Galveston, Texas, and such states as Florida and Arkansas in between, a number of previously all-white grammar schools, junior high schools and senior high schools opened their doors to Negro students — mostly on a token basis—in compliance with Federal law. No incidents were reported.

Still to come is integration in Dallas, where eight of the 101 white elementary schools in the nation's largest segregated school district will open to Negro first graders today. Officials predicted no trouble.

Police Patrol Barricades

Police in New Orleans, scene of disorders last year, patrolled barricades set up around six public schools which will be desegregated by Sept. 15. But except for one school, McDonogh 19 which was desegregated last year, new white students registered for classes that will include Negroes. This indicated a break in a white boycott, which began last year.

This was the situation state-by-state: WDC 9-6-61

Virginia: Richmond, Arlington, Norfolk and Fairfax Counties opened some white schools to Negroes. A total of 537 Negroes were expected to be in the schools by the end of the week.

But in Prince Edward County, segregated "private" education resumed for whites. The county abandoned public school education two years ago to avoid desegregation. Nearly all the 1,700 Negro children of the county began another year of no formal education.

Fort Lauderdale Integrates

Florida: Fort Lauderdale admitted 23 Negroes to previously all-white schools. Two Negroes joined white students in school at Daytona Beach. Miami already has integration.

Georgia: Integrated education continued in Atlanta for the fourth day for nine Negro student who began the school year with whites last week. Atlanta set the peaceful tempo this year, but heavy police guards were reported at all schools involved, just in case.

The Ku Klux Klan sponsored an anti-integration rally in Atlanta Monday night. Some 250 persons showed up and one man was arrested in a scuffle with a policeman.

Arkansas: Four of the five junior high schools in Little Rock received Negro pupils who mingled easily with white students. One all-white senior high, a trades school, was integrated and two previously integrated senior high schools received more Negroes. A total of 48 Negroes were eligible for integrated education in the Arkansas capital where Gov. Orval Faubus once used National Guardsmen to try to block integration.

Texas: Roman Catholic parochial schools began integrated education in Galveston from the first through the seventh grades. Public schools in Galveston integrate Wednesday.

THREE MAJOR CITIES

Token Integration Spreads In South

ATLANTA (AP) — A pattern of token school integration emerged in three major cities this fall as the South began new efforts to comply with federal integration demands.

Police in New Orleans, Dallas and Atlanta gave advance notice that demonstrations would bring arrests.

There was no disorder as Dallas and Atlanta schools enrolled Negroes for the first time.

There was no disorder in New Orleans for the start of the second year of integration, in contrast to last year when crowds of hecklers enforced a boycott of two elementary schools that admitted four Negroes.

Business leaders, civic and religious groups in the three cities had campaigned diligently for a peaceful transition.

Rioting that sent federal troops to Little Rock, Ark., during the first move toward school integration in 1957, was only a memory.

School integration spread to Galveston, Tex., and was expanded in Florida and Virginia during the week.

Sixty policemen guarded each of the six New Orleans schools. Their orders were to permit no agitation or loitering. Twelve Negro children entered the six schools Thursday.

Four white pupils broke the white boycott of McDonogh No. 19 public school where three Negro girls were enrolled last year. Normal enrollment at McDonough is 467. The William Frantz school, boycotted in the fall and spring by all but a handful of white children because one Negro was enrolled, had 17 white pupils Thursday out of a normal total of 570.

Attendance by white pupils fell sharply at the four newly integrated schools. But school officials said this could be blamed in part on parental fear of possible violence.

The New Orleans system has 93,000 pupils in 118 public schools.

Long in advance of school openings this year, police in Dallas and Atlanta were given special training in handling demonstrations and disorder.

Atlanta police warned that any interference at four high schools —with the entrance of nine Negroes — would bring prosecution under a law prohibiting a distrubance at schools. Within a three-hour period after school openings on Aug. 30, five persons were hauled off to jail, tried, convicted and given 30 to 60 day sentences.

Eighteen Negro first graders entered eight previously white Dallas schools Wednesday without police escort.

Thirty-nine Negro children in Galveston, Tex., began classes in kindergarten and first grades of previously white schools.

Integration spread peacefully in Little Rock. Twenty-three Negroes entered classes for the first time at four junior high schools. Twenty-three others were in classes at three high schools. One of them, Tech High, previously had not enrolled Negroes.

Florida quietly effected integration Tuesday by enrolling 351 Negroes in classes with white students in 14 schools.

In Virginia, 28, Negroes entered formerly white schools in seven localities. Virginia now has 73.

Total public school integration in the South now is confined to South Carolina, Alabama and Mississippi.

Token Integration Pattern Emerges In Southern Cities

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SEPTEMBER
CIVIL RIGHTS COMMISSION
DESEGREGATION OF SCHOOLS

14d(1) 1961

GENERAL

RIGHTS UNIT ASKS EARLY DEADLINE ON SCHOOL PLANS

Full Panel Backs Integration Recommendation as Part of a 12-Point Program

URGES CONGRESS TO ACT

Also Suggests Cut in U. S. Aid to States That Fail to Comply With the Law

By RUSSELL BAKER
Special to The New York Times.

WASHINGTON, Sept. 24—The Civil Rights Commission urged today that Congress require every segregated school district to submit plans to the Federal Government for a first step toward desegregation.

The recommendation, unanimously endorsed by the six-member panel, was one of twelve proposed for speeding up the present slow pace of school desegregation.

The proposal parallels a plank in the 1960 Democratic platform. That plank committed the party to support legislation requiring submission of desegregation plans so that a first step toward compliance could be undertaken in every school district by 1963.

President Kennedy proposed no civil rights legislation to Congress this year, and this plank of his platform has been on the shelf since the election last November.

Cut in Aid Suggested

An equally controversial recommendation proposed that Federal grants for education be reduced to 50 per cent of a state's quota in ratio to the number of segregated school districts the state maintained.

One commissioner, Robert S. Rankin, dissented from this recommendation on the ground that its effect would be punitive to school children. "I do not believe that school children should be made to suffer for the errors of their elders," he wrote.

Other recommendations included the following:

¶That Congress consider the advisability of a new law to speed up Federal court action in school cases.

¶That Congress pass a law providing Federal financial and technical assistance to local school systems that undertake desegregation.

¶That Congress pass a law providing loans for school districts whose state funds have been cut off as a result of desegregation.

¶That Congress or the President authorize the commission to serve as a clearinghouse for information about procedures and problems in desegregating, and permit the commission to create an advisory and conciliation service for local communities.

¶That the President or Congress direct the Attorney General to protect children, parents, citizens and school officials against harassment, intimidation and reprisal for carrying out desegregation plans.

¶That the President arrange for desegregated schools on military bases for dependents of military personnel who are required by their parents' assignments to attend segregated schools off the bases.

¶That Federal assistance be provided to the states for programs designed to identify and aid teachers and students of native talent who are handicapped by unequal educational opportunity.

¶That Federal funds under the Library Services Act of 1956 be withheld from states that maintain segregated libraries with the aid of Government financing.

The commission also proposed that Federal assistance funds for higher education be withheld from all publicly controlled institutions that practice segregation.

It recommended that the President or Congress order an annual survey of the ethnic classification of all students enrolled in the country's public schools.

184-Page Study Made

The commissions recommendation were based on the findings in a 184-page study of progress made toward desegregation since the Supreme Court struck down the doctrine of "separate but equal" schools in 1954.

Broadly, the commission found that the page of desegregation in the South had slowed noticeably since 1959 and that School segregation was common throughout the North and West because of ghetto-like housing patterns.

In the seventeen Southern states that practiced segregation before 1954, it noted, 733 of 2,839 school districts took some step toward desegregation by May, 1959.

In the next two years, however, desegregation was started in only forty-four additional districts. And, in most cases, the commission reported that the number of school children involved had been "minimal."

Three States Defiant

As of last May, it said, 27 per cent of the south's school districts had undertaken desegregation, but only 7 per cent of the Negro children in the area were in schools with white children.

More than 2,000 Southern school districts had not even started to comply with the Supreme Court decision. In three states—Alabama, Mississippi and South Carolina—there has still been no desegregation in public education facilities at any level.

Contrasted with a picture of progress in the border States, the commission drew a picture of the deep South that included school systems closed, tuition-grant plans for private schooling cutting into public-school support, school dropout rates rising because of the repeal of compulsory attendance laws, and "extreme official action," boycotts, harassment and economic reprisals creating national and international embarrassment.

In the North and West, it reported, segregation is a common experience for Negroes, Puerto Ricans and Mexicans. These minorities also suffer the educational deficiencies that accompany the "notorious" overcrowding of their schools, the commission said.

It found little evidence, however, that the segregation pattern outside the South stemmed from racism on local school boards.

To speed up the rate of Southern compliance, the commission proposed that Congress enact legislation requiring every school board that maintained segregated facilities to file a desegregation plan with the Government within six months after the law's enactment.

All plans, it suggested, should require at least a first step toward compliance with the court decision by the start of the following school year.

Mr. Rankin is chairman of Duke University's political science department. The other members of the commission are Dr. John A. Hannah, its chairman, who is president of Michigan State University; Robert G. Storey, vice chairman, dean of Southern Methodist University Law School; Erwin N. Griswold, dean of Harvard Law School; the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, and Spottswood W. Robinson 3d, dean of Howard University Law School.

THE GALLUP POLL

Public Would Not Withhold Aid From Segregated Schools

By GEORGE GALLUP
Director, American Institute of Public Opinion

PRINCETON, N. J. — If Congress should pass the Administration's Federal aid to education bill, a majority of the public would like to see such aid go to all public schools, irrespective of their present policies on racial integration in the classrooms.

About one person in four, however, feels that government aid should be withheld from those public schools which have thus far failed to integrate white and Negro students.

On several occasions in the past, school aid bills have hit a snag over an amendment that would bar financial help from schools which have not yet integrated — a restriction which has encountered sharp Southern opposition.

The author of this amendment—Rep. Adam Clayton Powell of Harlem — has not yet announced if he will attempt to include the measure in the present Administration bill.

To get the views of the public on this issue, Gallup Poll reporters were assigned to ask this question of a representative sample of 1,608 adults:

"If the Federal government in Washington decides to give money to aid education, should this money go to all public schools, or should it be withheld from schools which fail to integrate white and Negro students?"

The results nationwide:

FEDERAL AID TO PUBLIC SCHOOLS	
Go to all public schools ..	68%
Not to segregated	23
No opinion	9

REPUBLICANS, DEMOCRATS SEE EYE-TO-EYE

Analysis of the results by the party affiliation of those interviewed reveals little difference of opinion on the issue. Roughly the same size majorities of Republican, Democratic and Independent voters believe that Federal aid should go to all public schools, and not just those who have integrated the races.

Here is the vote by party affiliation:

FEDERAL AID TO PUBLIC SCHOOLS

	Rep. %	Dem. %	Ind. %
Go to all public schools ...	66	67	70
Not to segregated	25	24	22
No opinion	9	9	8

REGIONAL DIFFERENCES

Substantial differences in attitudes about aid for segregated schools are noted in the major regions of the country.

In the Southern states — who would stand to suffer most from an amendment barring aid to segregated schools — sentiment is will double and in some cases triple in price durring the next six months.

"Save your Confederate money boys, the South will rise again."

COINS AT SHOW

Next weekend, April 8-9, the Mississippi Gun Collectors' Association will sponsor a gun show at the King Edward Hotel, in the King Edward Hall. As is usually the case at a local gun show, due to the fact that no coin shows are held locally, a number of collectors will gather to trade just about every item in the numismatic line.

FIRST PROOF SETS

The first 1961 proof sets were shipped from the Philadelphia mint Wednesday March. 15. Collectors who had their orders in on November 1, 1960, received the first sets.

No sets were manufactured in January or February because mint regulations require the striking of two million regular coins before work on proof coins is begun.

As reported earlier, 57 per cent of Americans interviewed feel that any government school aid should be limited to public schools only, and not go to Catholic and other private schools.

Compromise on School Aid Sought Under Defense Act

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, April 26—New efforts are under way to devise a compromise in the church-state dispute over Federal aid to elementary and second schools. The discussions center on a proposal to combine the Administration's $2,298,000,000 school-bill with one to extend and liberalize the National Deefnse Education Act of 1958.

The combined measure would provide Federal loans to sectarian and other non-profit private schools to help finance the construction of classroom and laboratory facilities for science, mathematics and foreign-language instruction.

Compromise efforts were spurred by President Kennedy's request today for extending the act, which expires June 30 of next year, on an enlarged basis.

A section of the act authorizes Federal loans for the purchase of equipment for teaching science, mathematics and foreign languages in elementary and secondary schools.

The loans are available to private and church schools, as well as public schools, but cannot be used for construction except to make minor alterations of space used for the equipment purchased.

President Kennedy, in a letter to Congress, did not mention the possibility of broadening the loan provisions to include construction of private-school facilities.

Senate sources close to the Administration noted, however that the change would not conflict with the President's position on the constitutionality of Federal aid to non-public schools.

Mr. Kennedy, backed by a legal brief prepared by the Department of Health, Education and Welfare in consultation with Justice Department attorneys, has contended that general Federal grants or loans to church schools would violat the constitutional mandate for the separation of church and state.

But he and his legal advisers held at the same time that limited aid to carry out specific national policies such as those embodied in the Defense Education Act would not conflict with the Constitution.

Action Blocked

Roman Catholic spokesmen have been insisting on general loans for private-school construction as part of the Administration's bill. With President Kennedy firmly opposing such amendments, the controversy has blocked action.

The Administration bill calls for grants of $2,298,000,000 to public schools over a three-year period to help pay teacher salaries and construct buildings. Senate and House subcommittees have completed hearings on the measure.

Senate sources attributed the compromise formula to Senators Wayne Morse of Oregon and Joseph S. Clark Jr. of Pennsylvania, Democrats.

Mr. Morse is manager of the Administration bill. He and Mr. Clark are sponsors of a separate bill authorizing $350,000,000 in Federal loans for private-school construction.

Sources close to the compromise talks said they believed the Catholic hierarchy would accept the formula as a reasonably satisfactory solution.

They noted that a separate bill to aid in the construction of private-school facilities for science, mathematics and modern foreign languages had been introduced by Representative Herbert Zelenko, Democrat of Manhattan.

There is reason to believe, they said, that the Zelenko proposal had the tacit support of the Catholic hierarchy if it could be embodied in the general aid bill as an amendment.

For such construction of private-school facilities the formula would reserve an amount reflecting the ratio of pupils enrolled in these schools to the total enrollment in each state.

The proposed private-school share would be about $125,000,000 a year for three years.

President Kennedy proposed a three-year extension of school-loan provisions under the 1958 act without specifying how much should be appropriated.

The extension bill drafted by the Administration woudd leave the amounts under this and other provisions of the renewed act for determination each year by normal appropriations and budgetary processes.

The 1958 act was passed as a emergency measure, spurred by the orbiting of the first Soviet satellite, to stimulate scientific and language education.

Not pushing mixing, says Bob Kennedy

WASHINGTON, April 27—(AP)—U. S. Attorney General Robert Kennedy says he doesn't believe the federal government is "pushing" integration on the South when there are still some states that haven't desegregated a single school.

But, Kennedy added, the country would be committing a "major moral error" if it did not fight for the right that men are created equal.

In a TV interview aired last night in New Orleans, Kennedy warned that inaction in the South could prompt further federal intervention.

"SOME PROGRESS and some attention to this problem has to be given by the citizens of the South so that they progress themselves. . . . If they are not going to take any action, of course, the federal government comes more and more into it."

Kennedy conceded Northern cities like New York and Chicago have segregation problems, too.

"Whether they admit it, it's practiced segregation and steps are going to have to be taken in those areas," Kennedy said.

HE SAID SOME Northern editors and publishers, who editorially deplore Southern segregation, belong to clubs that exclude Negroes and Jews.

"So I think there is a good deal of hypocrisy," he said. "It seems to me that this is not just a problem for the South. But this is a problem for us as American citizens."

Kennedy was interviewed by Bill Monroe, news director of WSDU-TV Friday. A tape of the interview was telecast last night.

"MAYBE WE ARE not going to end all of these problems overnight," Kennedy said ". . . But I think we are committing a major moral error if we don't at least take steps forward and keep fighting for the proposition that men are created equal."

Here's what Kennedy said on other areas:

School integration in Washington, D. C.: "I think that the report that was made three or four years ago was found to have grossly exaggerated the situation. I would say it is not perfect and not really any of these situations are going to be perfect."

Tidelands: "It is a matter that deserves a good deal of attention and study . . . a sympathetic study."

Conferences with Southern political leaders and state officials: "We have a good relationship. But always behind it is the idea, well, nobody should know that we're talking because this might hurt me politically. . . ."

Southern Educators Warning Against The Closing Of Public Schools

Dallas, Texas, April 17 — As federal pressure for increased school desegregation comes from courts and the executive department, there are further indications that even in the Deep South the alternatives are coming under a more searching consideration by education and political leaders.

A recent statement by a Mississippi education official has roused attention in those parts of the Old South which still have not felt the pressure of desegregation moves, but which see the day coming closer when the problem will be on them in full force.

J. M. Tubb, Superintendent of Education for Mississippi, made the statement in a talk to a meeting of the Mississippi Education Association, made up of white educators.

Mr. Tubb's view was expressed against the background of recently enacted laws authorizing the Governor or local school boards to abolish public schools as a last resort to prevent desegregation. He told the representatives of the 12,000-member association that such action "would be to close the door of hope for many ambitious youths in this state."

As an elected state official, Mr. Tubbs is not only is a top leader in Mississippi education but he also is involved to some extent in his state's politics. He has held his present office for several terms.

"The fate of the great public school system founded 91 years ago perhaps hangs in the balance in the months ahead," he warned.

"In Mississippi, a dual segregated program of education has been operated for all the children. It is the belief of an overwhelming majority of our people that this type program, considering the background and traditions of our people, is the best for us.

"If, however, this system of operation is challenged, the solution must be found through the efforts of dedicated leaders who put the welfare of the children and the future of our state and nation above everything else."

Mr. Tubb cautioned his fellow Mississippians that closing the schools "would bring to a halt the wheels of industry on the borders of our state and destroy the dreams we have had for a great state whose economy would be based upon agriculture and a great industry."

As for private schools, Mr. Tubb said that such a system "simply would not work. Think of all the experience which would be lost if our public schools are closed." He noted that other states "have tried and failed with school-closing attempts."

A leader among Negro educators in Mississippi has called on both races to work together on the problems. L. S. Alexander, executive secretary of the Mississippi Teachers Association, a Negro group, said that "to close the schools would penalize the innocent. Closing the schools would be to punish children who had no part whatsoever in the problem."

While the Department of Justice under the new Attorney General, Robert F. Kennedy, has not let up in its policy of protecting the civil rights of all groups, Mr. Kennedy is seeking to establish a closer liaison with top officials in Southern states, according to these state leaders.

Conant Says Slum Schools Pile Up 'Dynamite' in Cities

BY FRED M. HECHINGER

Dr. James B. Conant warned yesterday that the slum schools in the nation's ten largest cities might become dead-end streets to disaster. A combination of unemployment, unrealistic school programs and discrimination by employers and labor unions, he charged, has piled up "social dynamite."

He called for the immediate creation of 300,000 jobs in Federally financed urban public works. He urged a drastically revised vocational training and placement program in the high schools. And he attacked "token" integration and transfers of Negro pupils as evasion of a duty to improve slum schools.

Text of Conant's summary is printed on Page 35.

At the same time, Dr. Conant attacked prestige-seeking suburban parents who ask schools to place their children, regardless of talent, in top colleges. He recommended that these colleges be transformed into institutions to prepare students mainly for professional and graduate school careers.

The former president of Harvard University and Ambassador to West Germany issued his warnings in a book, "Slums and Suburbs: A Commentary on Schools in the Metropolitan Area," published yesterday by McGraw-Hill.

It is a result of a study of the ten largest cities financed by the Carnegie Corporation of New York. The cities and suburbs covered are New York, Chicago, Los Angeles, Philadelphia, Detroit, Baltimore, Houston, Cleveland, Washington and St. Louis.

Dr. Conant warns that there is "social dynamite" in the fact that in some slum neighborhoods, largely in the Negro sections, "over half of the boys between 16 and 21 are out of school and out of work."

He charges that in many places it is harder to ge an apprenticeship that involves union approval than to get into "the most selective medical school."

Ideas for Slums

Among his key recommendations for the slum schools are the following:

¶Giving the schools responsibility for the educational and vocational guidance of all out-of-school youths.

¶Extending the work-study programs for slow students and developing realistic vocational courses.

¶Giving priority to the improvement of all slum schools rather than to token integration and transfers by bus.

¶Providing more and better teachers and guidance personnel, at higher pay than in other schools.

Ideas for Suburbs

His key proposals for schools in wealthy suburbs are these:

¶Controlling unreasonable ambitions of parents whose children lack college qualifications.

¶Changing the image of the "prestige colleges" into that of institutions designed largely to prepare very able students for graduate study.

¶Making admission to law, medical and graduate schools contingent on an examination that tests "wide and solid academic education."

¶Encouraging all bright students to take part in a study program comparable to that required by the Bronx High School of Science, considered by Dr. Conant the most highly selective secondary school, public or private, in the United States.

¶Considering extending the two-year junior college idea to take the pressure off the four-year colleges.

"The contrast in the money available to the schools in a wealthy suburb and to the schools in a large city jolts one's notions of the meaning of equality of opportunity," he says.

Slum schools are often dilapidated, staffed by forty or fewer educators for each 1,000 pupils, he continues, compared with spacious suburban schools, staffed as many of seventy professionals for 1,000 pupils. As a result, he continues, "In the suburban school practically all the children read well; in the slum school few do."

In an unqualified attack, Dr. Conant says it is misguided and neffective to transfer Negro children to "essentially white schools" in an attempt at integration.

But, he condemns with equal vehemence gerrymandering of district lines because it 'amounts to separating pupils solely on the basis of race."

He places first priority on spending more money for staff and plant in all slum schools. In addition, he says that in all cities there should be some mixed schools "because of the nature of the neighborhood they serve," and that "throughout the city there ought to be an integrated staff."

Chicago View Supported

Without naming him, Dr. Conant supports the embattled position of Chicago's school superintendent, Benjamin C. Willis, who says that children should not be manipulated for the purposes of integration.

"I know the argument is being made that crossing attendance lines should be made permissive and without cost to the city and that the refusal of this right is a psychological blow to the pride of the members of the Negro race," Dr. Conant says.

He continues that since "the evidence indicates that it is the socio-economic situation, not the color of the children" that makes slum schools a serious problem, "the real issue is not racial integration but socio-economic integration."

Dr. Conant's earlier books on the high schools and junior high schools imitted the large-city and suburban areas. Those reports were characterized by a generally conservative and almost impersonal manner. By contrast, the report on the slums and suburbs makes no effort to disguise the author's shock and anger. He appeals for "action before it is too late."

Negro Unemployment

Action, he believes, must recognize the alarming state of unemployment among Negro youths. Almost half of the Negro boys who were graduated from high school in the slums of one of our largest cities are unemployed," he says.

He charges that the problem is aggravated by "roadblocks set up by the leaders of the Negro communities and their friends."

"I refer to the fact that it is considered illiberal, if not reactionary, to use the phrase I have been using, 'Negro slum,' " he says. "How can we improve a situation if we are deprived by terminology from knowing what the situation really is?"

The taboos must be abandoned, he says, so "the discribination practiced quietly but extensively by employers and by labor unions" can be ended.

To deal with the immediate situation, he adds, Congress must appropriate funds for public works programs for about 300,000 jobs to allegiate unemployment among youth of 16 to 21 in the large cities.

Dr. Conant stresses that vocational courses in the slum schools should not replace the essential parts of the required academic program. He urges realistic vocational training, amounting to no more than half the students' time, in grades eleven and twelve, but earlier for slow learners who are prospective drop-outs.

In the suburbs, Dr. Conant is impatient with unreasonable parental pressures on the high schools for children to be accepted by "prestige colleges" regardless of academic ability.

He implies that part of the problem is the fault of the colleges themselves, charging they shield the public from appreciating the qualitative differences between the institutions.

Change in Colleges

He offers "a radical new proposal" for reform at the graduate or professional-school level. He urges "that leading professional schools of law and medicine and graduate schools of arts and sciences require their candidates to pass a set of examinations which would demonstrate a mastery of academic subjects somewhat comparable to that required for entrance into a European university."

The high-quality colleges would then become preparatory institutions for the professions, and high-school students without the required talents and professional aims could be more readily discouraged from applying.

Dr. Conant, in calling for five academic subjects a year as the fare for bright students, provides "academic inventories" of well-known college-oriented schools. They are the Bronx High School of Science; Newton High School in Massachusetts; Scarsdale and Great Neck Schools in New York; Central High School in Philadelphia, and Evanston Township High School in Illinois.

Dr. Conant's earlier studies, published in the last three years, are: "The American High School Today," "The Child, the Parent and the State," and "Education in the Junior High School Years." At present, Dr. Conant is studying teacher education in America.

'ALL DELIBERATE SPEED'

Seven Yrs. After Decision

SCHOOL STANDINGS

Place	Total Enrollment	Number Colored	Per Cent Colored	Colored Integrated	Per Cent of Col. Enrolled
D.C.	121,448	96,751	79	81,392	84.1
W. Va.	467,656	21,010	4.9	14,000	66.6
Del.	82,205	15,061	18.3	6,794	44.7
Ky.	464,119	41,938	9 0	16,329	38.9
Mo.	805,000	75,000	9.0	35,000	41.7
Okla.	545,000	40,875	7.4	9,822	24
Md.	584,258	134,379	22.9	28,072	20.9
Ark.	422,183	105,130	24.9	133	0.1
Fla.	979,065	202,322	20.6	27	.01
La.	693,202	271,021	29	4	.001
N. C.	1,118,682	302,000	27	82	.02
Tenn.	828,000	157,320	19	342	.21
Texas	2,229,540	288,553	13	3,500	1.21
Va.	879,500	211,000	24	208	.09
Ala.	787,269	271,134	34	0	0
Ga.	1,000,759	318,405	33	0	0
S. C.	611,099	257,935	42	0	0
Miss.	566,421	278,640	49	0	0

WASHINGTON (NNPA) —Nearly seven years after the May 17, 1954 Supreme Court decision outlawing public school segregation, only 195,623 colored children in 17 southern states and the District of Columbia now attend mixed schools.

In this area, there are 3,097,534 colored children; only 681,763 of them live in school districts which have at least token desegregation.

The number of pupils actually integrated in the South is even further minimized by the consideration that of the 195,623 integrated, the District of Columbia accounts for 81,392. This is almost half the total number of colored pupils attending integrated public schools in the South.

Washington has a school population of 96,751 colored and 24,697 white pupils. Therefore, 81 per cent of Washington's colored children are in desegregated schools.

FOR the rest of the South with 3 million colored pupils, only 6 per cent are in desegregated schools. Considering the fact that such states as West Virginia, Delaware, Kentucky, Missouri have relatively 'high" percentages of colored children in mixed schools (about 45 per cent), that means that the percentages in other southern areas sink even lower.

This patten reaches its lowest point in four southern states which have no public school desegregation at all. They are Alabama, Georgia, Mississippi and South Carolina.

The desegregation of public schools has usually followed the desegregation of state colleges and universities. Georgia is the only one of the four that has desegregation in higher education.

Just this year, Hamilton Holmes and Miss Charlayne Hunter were enrolled in the University of Georgia. True to the pattern, Atlanta's school system is under orders to desegregate in September.

* * *

ALABAMA, WHICH is under federal orders not to use racial restrictions in admissions to the state university, actually has no colored enrolled — and has none enenrolled on a lower level either.

Both Louisiana and Arkansas, which experienced turmoil when public schools were desegregated, already had integration on the college level.

Residential segregation is still one of the biggest contributors to school integration. Most suits have been filed on the basis of the fact that colored children are denied the opportunity to attend schools closest to their homes.

Ghetto housing in the North and South, however, has virtually guaranteed that the schools closest to colored children's homes are all colored.

Georgia Tops in Complaints On Rights in Education

WASHINGTON, June 10 (UPI) — The Civil Rights Commission has received complaints about racial discrimination from every state except Vermont and North Dakota and the most from Louisiana and Alabama.

Several Southern states but by no means all of them have produced an overwhelming majority of claims by Negroes that they cannot vote, a survey shows.

Alabama, Louisiana, Mississippi and North Carolina between them have produced 496 of the 621 voting complaints filed since the commission's inception in 1957.

On the other hand, Californians have filed 64 voting complaints, more than filed by all but three Southern states.

* * *

SOUTH CAROLINA and Virginia each list only three complaints of voting irregularity but no claims that any Negro has been denied the right to vote.

The commission's voting breakdown lists sworn and unsworn voting complaints and complaints about irregularities where some restraint or hardship was imposed.

* * *

GEORGIA had the most education complaints, 6; Alabama the most housing, 9; and Alabama the most transportation, 3.

In other phases of discrimination which the commission is investigating the Southern states produced fewer complaints than New York and some Northern and Western states.

New York, with 53, led in the field of administration of jutice which includes discrimination in jails, paroles and police brutality. California was second with 38, Ohio third with 33. In all, the commission has received 568 such complaints, second only to voting.

It has received 166 complaints about employment discrimination, with the most, 16, from California. New York had 15, and Michigan 13.

* * *

THE COMMISSION has received relatively few education (38), housing (42), and transportation, (29) complaints.

The commission has received a grand total of 1,246 complaints but these include informational types, annonymous and crank letters, and illegible communications.

The top 10 states in the number of complaints are Louisiana, 256; Alabama, 252; California, 147; New York, 122; Mississippi, 117; Florida, 87; North Carolina 77, Ohio and Illinois, 58, and Texas, 55.

Hit Effort To Avoid Integration

WASHINGTON. — (UPI) — The federal government Monday asserted that all the states have a duty to maintain public schools on a non-discriminatory basis and have no right to close them to avoid desegregation.

The Justice department, breaking new ground in the school desegregation controversy, took that position in a brief filed in federal court at Baton Rouge, La.

A three-judge court is considering a local move to close public schools in St. Helena parish (county), La., rather than desegregate them.

The department linked the right to an education with other "fundamental" rights guaranteed by the constitution. These rights may not be taken away from any citizen for arbitrary or discriminatory reasons, the brief said, without violating the "due process" clause of the 14th amendment.

It asserted that the right to vote in Louisiana, where a literacy test is required for voters, hinges on access to education.

The imposition of a literacy test as a voting requirement, the government said, "may well impose a corresponding duty upon the state of Louisiana to furnish its citizens with the means by which the condition can be met."

The Justice department also argued against a Louisiana law authorizing local school board to close their public schools if a majority of the local electorate approved.

The brief said the state law denies equal protection of the laws to all citizens and obstructs a court order requiring desegregation of St. Helena schools.

The St. Helena school case dates back to Sept. 4 when a group of Negro plaintiffs challenged racial segregation in the county public schools. On May 25, 1960, the federal district court at Baton Rouge ordered the schools desegregated.

This order was affirmed by the U.S. Court of Appeals for the fifth circuit at New Orleans. But on Feb. 20, 1961, the Louisiana legislature passed its school shut-down statute.

The three-judge panel created to consider the controversy, asked the Justice department, the attorneys general of all 50 states, the Negro plaintiff and the St. Helena parish school board to su

mit briefs.

Attorney General Robert F. Kennedy said, in announcing filing of his department's brief, that: "In the America of the 60's, education for all is an absolute necessity."

Kennedy added: "The loss of an education to a child in his formative years is an irreplaceable loss of his dignity as an individual as well as to the resources of the nation.

"It is a deprivation—personal, immediate, permanent—a stunting of a child's growth that cannot be rectified," he said. "It will affect his opportunity for jobs, his access to a better life and even his right to vote."

Integration Gradually Gains

One-Race School Fading

By SID MOODY
AP Newsfeatures Writer

THE one-room school is a fading institution. So, gradually, is the one-race school.

When opening school bells rang throughout the South this fall, 31 districts saw Negro and white students sitting in classrooms where only white had sat before.

The number of Negro students involved was small — only 392. But friend and foe of desegregation alike could take consolation from one fact. Any fighting was confined to the courtroom. There was no violence.

Dallas, heretofore operator of the Nation's largest segregated school system, integrated Negro students without any of the uproar that occurred a year earlier in New Orleans. New Orleans itself entered its second year of gradual integration without a recurrence of the housewives' picketing and violence that marked the first year.

And in perhaps the major city of the Deep South—Atlanta—the segregation walls came tumbling down. So did Georgia Gov. Ernest Vandiver's election pledge that no Negro child would sit in the same classroom with a white during his administration.

VANDIVER and the State Legislature were faced, after rioting last January when two Negroes entered the University of Georgia, with closing the institution. Instead Vandiver proposed ending segregation laws and replacing them with others that limit integration as much as possible.

Dallas faced a similar problem in a 1957 Texas law which withheld State school aid if a district integrated without an approving referendum. The State Attorney General later ruled a district would not have to forego State aid if it integrated under a Federal court order, which was the case in Dallas.

Memphis integrated peacefully. Only in South Carolina, Alabama and Mississippi this year are there no integrated school districts.

The Southern Education Reporting Service, which tabulates integration in the South, reports 824 desegrated school districts this year.

There are 6599 districts in all in the area, 2805 of them having both Negro and white residents. Last year 793 districts were desegrated out of 6663.

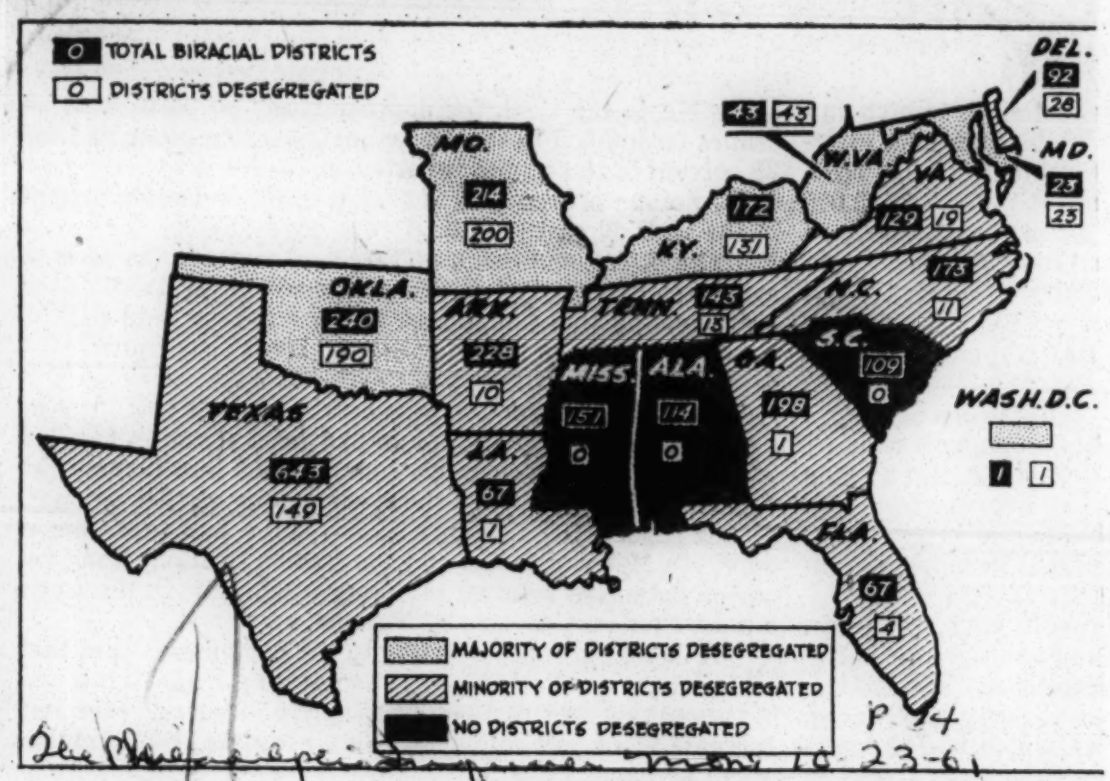
* * *

AT A higher level six public colleges and universities changed their racial policies to take students of both races. They were Georgia Tech, Texas Tech, Texas Woman's University, St. Petersburg Junior College, Charlotte College and Asheville-Biltmore College.

The South now has 131 of its 277 public institutions of higher learning, once all white or predominantly so, that will now take Negroes. Fifteen of the region's Negro colleges and institutions now will take white students.

Integration was hardly more than a token in Atlanta — nine Negroes — or Dallas — 18 — or Memphis — 13. But the pattern in the South has been to slowly increase Negro enrollment once the barrier has been breached.

Arkansas had 113 Negroes in biracial schools last year. This year there are 152. There was only one integrated district with 28 Negro students in Florida last year. This year there are four districts and 383 Negroes.



Inquirer Map by William Streckfuss, Staff Artist

MAP SHOWS PROGRESS OF SCHOOL INTEGRATION IN THE SOUTH

Just Two States Defy Integration

Only South Carolina, Mississippi Have Never Had Any Mixed Classes

Special to The Commercial Appeal

NASHVILLE, Feb. 4. — Entrance of two Negroes into the University of Georgia in January left only two states, South Carolina and Mississippi, that never have had bi-racial classes in any tax-supported schools, Southern School News reported Friday.

Not since 1958, when under a Federal court order two Negroes entered the University of Florida, had a state changed from the status of complete school segregation, the monthly publication said. Late in 1960 Louisiana had its first grade school desegregation; but, also under court order, its white state colleges quietly had begun to admit Negroes in 1950.

Although Alabama does not now have any Negroes attending classes with whites, it experienced its initial school desegregation in 1956 with the admission of Autherine Lucy to the University of Alabama. She attended classes for three days, but authorities excluded her because of riots.

She later was expelled for accusing college officials of conspiracy in the violence. After her expulsion was upheld by the same court that ordered her admission, the board of trustees announced it still would consider applications from qualified Negroes.

Patterson Says No

Alabama Gov. John Patterson expressed a different view at a January press conference. Amid news reports of Georgia's desegregation and unofficial reports that Alabama Negroes were planning to enroll in their state university this spring, the young Governor again pledged his total resistance to any school desegregation.

Patterson specifically included the University of Alabama in repeating his determination to close any state-supported school before submitting to court-ordered admission of Negroes.

College desegregation in the South has preceded the change-over to bi-racial schools in the lower grades.

Twelve of the 17 Southern and Border states desegregated their colleges voluntarily or by court order before 1954. The District of Columbia merged its white and Negro colleges in 1954, followed by the brief Alabama desegregation in 1956 and the Florida admission of two Negroes in 1958.

Public school desegregation below the college level in the South has occurred at a slower pace, over a shorter time, in a later period. Only two states, Delaware and Texas, had a school district desegregated before the Supreme Court's decision. Both states, whose first college desegregation occurred in 1950, had one district each to begin bi-racial schools in 1954.

Four States Comply

Four states with segregated schools complied immediately with the Supreme Court ruling in 1954, and four others joined the list in 1955. All previously had desegregated at least one state - supported college, some beginning back in 1936 and 1938.

North Carolina had three school districts desegregate voluntarily in 1956 and Virginia and Florida experienced grade school desegregation in 1959. Again, all three had some previous public college desegregation.

In January one school district desegregated for the first time and another district received a Federal judge's order to desegregate next September.

Forty-one Negro children entered 11 previously all-white Davidson County, Tenn., schools on Jan. 23, making seven desegregated school districts in the state and 778 in the South.

United States District Judge Ben C. Connally handed Galveston, Texas, a desegregation order. In a ruling similar to the one he gave in the Houston case last year, the judge ordered the Galveston public schools to work under a grade-a-year desegregation plan.

Integration Ordered

Two other Southern cities, Dallas and Atlanta, also have orders from Federal courts to desegregate on a grade-a-year basis beginning with the 1961-62 school year.

At the time Davidson County desegregated, the judge who ordered it, United States District Judge William E. Miller, declined to order the county school faculty and staff desegregated. However, he held open the possibility of ruling on the issue at a later date.

In the Chattanooga school suit, United States District Judge Leslie R. Darr refused to accept a board of education plan for desegregation. Judge Darr objected to a proposal to begin desegregation only in schools selected by the school board. The board has 60 days to submit a new plan.

In Louisiana, the United States Fifth Circuit Court of Appeals took under advisement an appeal by East Baton Rouge and St. Helena parishes (counties) and six state-supported trade schools. A Federal district court last year had ordered them to desegregate "with all deliberate speed."

3 STATES MAINTAIN FULL SEGREGATION

Only Mississippi, Alabama and South Carolina Keep Barriers in All Schools

Special to The New York Times.

NASHVILLE, Tenn., Feb. 3—Only three states—South Carolina, Mississippi and Alabama—still have total racial segregation in their tax-supported schools, Southern School News reported today.

The latest state to yield to a Federal Court order terminating segregation was Georgia, which admitted two Negroes to its state university at Athens.

Neither South Carolina nor Mississippi has ever had bi-racial classes in tax-supported schools and colleges, the publication said.

Alabama had integrated classes at its university for three days in 1956, before a series of riots forced the withdrawal of Miss Autherine Lucy, a Negro student. Miss Lucy was later expelled on charges that she had accused college officials of conspiring in the violence.

All publicly financed schools and colleges in Alabama have remained segregated since then. Early this year, Gov. John Patterson again pledged total resistance to any integration effort.

Includes University

Commenting on rumors that Negroes would seek to enroll at the University of Alabama in the spring, Governor Patterson included the university in his pledge to close any state-supported school before submitting to a court order requiring the admission of Negroes.

Southern School News noted that twelve of the seventeen Southern and border states had desegregated their colleges voluntarily or by court order prior to the United States Supreme Court's desegration decision in 1954.

"Public school desegregation below the college level in the South has occurred at a slower pace, over a shorter time, and in a later period," said the publication. It is devoted to events associated with desegregation in Southern and border states.

One additional school district in Tennessee—Davidson County—was desegregated in January, bringing the number of racially integrated districts in the state to seven and the number in the South to 778, the publication reported.

Southern School News is a monthly publication of the Southern Education Reporting Service of Nashville, a private agency partly financed by the Ford Foundation.

Bias Cured By Candor, Expert Says

By DOROTHY BARCLAY

YOUNGSTERS in schools that are about to be desegregated through "open enrollment" procedures should be prepared for the coming change, a specialist in intergroup relations said yesterday. However, she implied, over-zealous and short-sighted campaigns to "teach tolerance" by denying differences can sometimes aggravate the very misunderstandings they aim to eliminate.

The importance of a realistic approach to racial and religious differences was stressed by Mrs. Mary Constantine, associate director of the Philadelphia Fellowship Commission, during sessions of the thirty-seventh annual conference of the Child Study Association of America, held at the Roosevelt Hotel. The theme of the meeting was "Barriers Between People: Families Coping with Differences."

The idea—emphasized in some circles up until a few years ago—that the prejudiced individual is insecure or emotionally ill has not been borne out by research, Mrs. Constantine pointed out. Nevertheless, she and other speakers stressed, prejudice is a barrier to "positive mental health" since it prevents an individual from seeing the world realistically.

Admitting Differences

Similarly, improvement of intergroup relations is hindered rather than helped by refusal to admit the differences that exist between groups. A child's ability to understand and get along comfortably with others of different races and religions, Mrs. Constantine said, will depend to a large degree on his parents' and teachers' ability to recognize, accept and discuss real differences as they exist.

Parents and teachers with whom her group has worked, she continued, have found it a new experience to discuss racial and religious differences "with frankness and candor" in mixed groups. Because of their hesitancy to enter this "taboo" area, many parents indicated that they had felt previously the teaching of intergroup understanding should be the responsibility of the schools. Teachers, however, admitted they had been equally hesitant to talk openly with youngsters about such controversial matters.

"To achieve good intergroup relations," Mrs. Constantine declared, "we do not educate a group about another group. Rather we aim to help individuals to see the wide variation within each group—to see and accept persons of differing ethnic groups as individuals, with full appreciation of the ways in which they are different; with understanding of the historical and other reasons why they are a group; the trigger words to which they are sensitive and the ways in which mutual trust and cooperation may be developed. This is, of course, a two-way street, not just flowing from so-called majority to minority."

Dr. Klineberg Speaks

The important need for attempts at understanding on both sides of the prejudice barrier was stressed also by Dr. Otto Klineberg, professor of psychology at Columbia University. Dr. Klineberg termed "tragic" the forms of "racialism in reverse," the "cult of color," the apostles of "black superiority" now emerging, in some quarters.

Two general sessions and three concurrent forums made up the day's program. Dr. Saul Padover, Professor of Political Science, Graduate Faculty, The New School for Social Research, was the luncheon speaker. Mrs. Esther Peterson, Assistant to the Secretary, United States Department of Labor, also spoke at the morning session.

The association's annual book awards went to "Janine" by Robin McKown; "Physical Disability: A Psychological Approach" by Beatrice Wright, and "Children—Their Ways and Wants" by Katherine Reeves. Mrs. Sidonie M. Gruenberg, special consultant to the association made the presentations.

Dixie Uses N. C. Plan To Desegregate School

ATLANTA — (UPI) — In the months following the 1954 Supreme Court school decision, North Carolina Gov. Luther H. Hodges — now Secretary of Commerce — picked a select advisory committee on education to devise a school racial "plan" for that state.

The group was headed by a rural county legislator, Sen. Thomas H. Pearsall. After months of study, the committee recommended to the legislature and won passage of what quickly became known as the "Pearsall plan."

This was the first of the sweeping school plans to be adopted in the south and it has subsequently become the basic fabric of school laws in many Dixie states.

VIRGINIA PLANS

Virginia actually came up with the first program designed to comply with the Supreme Court school decision without letting down the floodgates to total integration. But the Virginia plan, brought in by a commission headed by Sen. Garland Gray, was turned down cold by the general assembly.

Virginia later returned to almost the same program when in the face of federal court orders that threatened to close every public school in the state unless desegregation was permitted.

The Pearsall plan, largely identical to the Gray report, provided:

"Authority for the general assembly to provide from public funds financial grants to be paid toward the education of any child assigned against the wishes of his parents to a school in which the races are mixed—such grants to be available for education only in non-parochial schools and only when such child cannot be conveniently assigned to a non-mixed public school.

SUSPEND SCHOOLS

"Authority for any local unit created pursuant to law and under conditions to be prescribed by the general assembly, to suspend by majority vote the operation of the public schools in that unit, notwithstanding provisions for public schools.

There have been variations—notably the stairstep idea of starting desegregation grade at a time and the "freedom of choice" tag in Virginia—but the states have turned basically to the Pearsall-Gray idea of local option and private grants.

When Georgia was faced with court orders to desegregate Atlanta schools, representatives of a legislature-appointed school study committee visited both North Carolina and Virginia to find out just how the parent plans were working out.

GEORGIA FOLLOWED

The Atlanta school board also relied heavily on Pearsall and Gray in drawing up its plan, which was approved by a federal district court, for desegregating schools.

This year the Georgia legislature followed almost in Virginia's footsteps in its manner of abandining missive resistance to integration. In 10 historic days, the legislature swept aside segregation laws and adopted a program of local option, grants for private education and "freedom of choice."

Louisiana goes into its fifth special legislative session in an effort to draft new school racial laws to replace strict segregation statutes. The basic new proposal is local option. Under such a law, New Orleans—whose schools are now desegregated under federal court orders—could decide for itself whether to keep schools open or close them.

Slow School Integration Irks NAACP

NEW YORK — The dragging rate of school integration irks the NAACP as it lays plans for launching its spring membership drives.

Gloster B. Current, NAACP director of branches, said only a little more than six per cent of the Negro youngsters in the South have been integrated into public schools despite the U. S. Supreme Court ruling which is now almost seven years old.

NAACP membership and publicity chairmen from 24 metropolitan New York area branches met at the Association's national office last week to lay plans for their spring membership drive.

Mr. Current said that the metropolitan kickoff date, April 20, will be celebrated with a mammoth rally at Manhattan's Riverfera Terrace.

Louisiana School Heads Hit Diversion

BATON ROUGE, La., March 25 (AP)—Louisiana school superintendents Saturday were quietly opposing any more moves to tamper with state constitutional funds dedicated to support of public schools.

A key informant told of the important actions voted in a closed meeting of the Louisiana School Superintendents' Association here this week.

Segregation leaders and a few of Gov. Jimmie H. Davis' legislative strategists have been trying to whip up public support for a summer constitutional convention.

It would divert some public school funds to finance private, segregated schools.

But the governor himself has been showing no enthusiasm for the limited constitutional convention whose main purpose would be to assure permanent financing of private school cooperatives.

* * *

HE DECLINED to commit himself at a press conference this week.

In a majority vote, the informant said, the superintendents decided to ask the Louisiana Teachers Association Legislative Committee and the United School Committee to oppose any attempt to take away dedicated public school funds.

The United School Committee, which always meets before a legislative session on educational problems, is a politically powerful group representing all organized public education forces in the state.

The 30-day fiscal legislature convenes in May to appropriate education and other state funds for the next fiscal year.

Supt. A. L. Brooks of Catahoula Parish, president of the Superintendent's Association, declined to comment on the informant's report of what happened in the closed meeting.

What Brooks did say was that the superintendents outlined their proposed program for the fiscal legislature.

* * *

"WE ARE JUST ONE of the organizations making up the United School Committee," he emphasized.

"Everything we recommend will have to go to that committee for final approval."

While Brooks would not comment, the informant said the majority of the superintendents also agreed to oppose any attempt to change existing provisions by which state funds are distributed to public school systems in each parish.

Two weeks ago, Sen. E. W. Gravolet Jr., Point-a-la-Hache, vice chairman of the Joint Legislative Committee on Segregation, suggested that school funds should be changed so the legislature itself would appropriate for each parish.

* * *

UNDER PRESENT LAWS, the legislature appropriates a lump sum directly to the state board of education. The board then parcels out funds to each of the parish school boards.

Details of this proposal were not made clear, but the idea generally appeared to be that such steps would be necessary, in the view of segregation lawmakers, in helping develop the grants in aid system.

While Louisiana has provided a grants in aid program for parishes which decide to vote a preference for private schools, permanent means of financial support have not been provided.

Mixing Issue Slacks Off In Legislatures

Jackson Daily News

NASHVILLE, Tenn. (AP)—The attitude of Southern and border states on the school segregation-desegregation issue appears to be changing, the Southern School News said today.

The monthly publication said the issue dominated only two of 12 Southern and border state legislatures in session last month. And these two, Georgia and Louisiana, passed bills softening their "segregation or no school" stand, the News said.

Desegregation occupied only a minor role in the Arkansas Legislature for the first time since 1957, the News continued. The publication said its correspondents reported that legislature in Delaware, Maryland, Missouri, Oklahoma, West Virginia, North Carolina, Tennessee, Txas and South Carolina had little, if any, school-race legislation up for consideration.

The news is published by the Southern Educating Reporting Service here which attempts to keep up with developments in school desegregation.

NEA Study Tackles Problem Of Teaching Migrant Children

The Washington Post

Washington D.C.

By Victoria Stone
Staff Reporter

A study published today by the National Education Association recommends solutions to the lingering and frustrating problem of educating the children of migrant laborers.

The study, a book called "Knowing and Teaching the Migrant Child," suggests:

- That Federal and state governments subsidize local schools that serve large numbers of migrant children;
- That schools remain open whenever and wherever migrant laborers are present;
- That school systems, as far as 1000 miles apart, ease the transfer of pupils who must "follow the sun."

Problems Cited

The study was written by Elizabeth Sutton, who worked on a experimental projest to bring new and wider school services to migrant children in Palm Beach County, Fla., and Northampton County on Virginia's Eastern Shore.

Migrant workers in these and many other rural communities have long presented a thorny problem to schools. Their children, if they go to school at all, receive a patchwork of learning in scattered schools they can attend only a month or two at a time.

The child's sporadic need for education not only frustrates teachers; it also swells the rolls of rural schools.

The report suggests that schools use extra teachers to break classes into small groups and give migrant pupils more attention. It also recommends placing children in grades with children of the same age and maturity, rather than in grades of school achievement.

Schools should also send "professionally trained personnel" into labor camps to spark generally low parent interest in pursuing an education for their children wherever they go.

Schools will need special help in training teachers to handle short-term pupils, it was pointed out. Most of these children are not only sadly behind in school, but lonely and emotionally disturbed. State boards of education must also work to erase county barriers where migrant problems are area-wide.

As for curriculum changes, the study recommends that schools use "easy reading material" with stories about beans and bushels instead of toys and fire engines. It points up the value of teaching these children to budget the money they earn in the fields and to practice good health habits in their generally squalid homes.

Byrd Fears School Aid As Lever to Integration

The Evening Star

Washington D.C.

Virginian Sees Back Door Opened, Most Colossal Sort of Expenditures

By the Associated Press

Senator Harry F. Byrd, Democrat of Virginia, sparked fresh Southern opposition to President Kennedy's aid to education program with the assertion today that it will open a back door to school integration.

Senator Byrd said he is convinced after an analysis of Mr. Kennedy's proposals for Federal educational grants to States—to spend as they see fit—that the program will "pave the way for the most colossal sort of expenditures."

But even more distasteful to him, he said in an interview, is what he regards as the probability that Congress eventually may require school desegregation in all States accepting Federal funds.

"No one can guarantee that there will not be Federal efforts to control our schools to this extent," Senator Byrd said.

"Any bill Congress passes now may not carry a desegregation provision. But there is real danger that on some future bill appropriating the money to make the payments to the States a rider may be attached saying that no funds shall go to any State which does not desegregate its schools."

Opposes Using Lever

Secretary of Welfare Ribicoff told a news conference Monday he believed it would be a great tragedy to use Federal aid to education as a lever to end school segregation.

Mr. Ribicoff indorsed the 1954 Supreme Court ruling against segregation in public schools. But he said he would oppose any amendment that would deny Federal aid to schools because they are segregated.

Senator Byrd's outspoken opposition to the education program was regarded as significant because some Kennedy administration officials believed the Virginian might go along because of the State control feaures of the Kennedy bill.

Stands With Southerners

Their efforts to woo Senator Byrd over to their side have been matched by attempts to chip other Southern Democrats away from a bipartisan conservative coalition opposing the Kennedy proposals.

Even strong administration supporters like Senator Smathers, Democrat of Florida, are wary of any intrusion of the school segregation issue.

Senator Smathers, secretary of the Senate Democratic Conference, said he supports the "general principles" of the Kennedy program. But he added that he will stand with other Southerners against any effort to enforce integration through it.

On school closings

Clashing views given rights group

WILLIAMSBURG, Va., Feb. 25 —(AP)—President Kennedy told the Civil Rights Commission Saturday this is no time to close schools because of racial discrimination.

His comments in a telegram clashed with those of a Virginia school official from Prince Edward County, where public schools have been closed two years to avoid integration.

W. Edward Smith, Prince Edward school board chairman, said his people are unwilling to support an integrated school.

He said they are determined their children will not attend integrated schools. The people have, Smith said, "no confidence either in the conditions that might be maintained in an integrated school or in the educational advantages that might be given in such a school."

Third conference

THE COMMISSION heard the remarks at its third annual conference on school segregation problems, held in this restored colonial capital of Virginia. About 25 persons from eight states participated. A dozen more from four states attended as observers.

Another Virginia school official told the commission that bitterness still lingers despite the passage of three years since the desegregation row closed Warren County schools.

Warren Supt. Q. D. Gasque said some of the bitterness has hardened into a "resolution to fight (integration) to the bitter end." The schools have reopened on an integrated basis.

Kennedy, in his telegram, extended best wishes to the conference participants.

'No time to close'

HE SAID, "THIS is no time for schools to close for any reason, and certainly no time for schools to be closed in the name of racial discrimination.

"If we are to give the leadership the world requires of us, we must be true to the great principles of our Constitution—the very principles which distinguish us from our adversaries in the world."

He praised the two previous school segregation conferences of the commission and said: "It is a continuing contribution for you to bring together for an exchange of views the men and women responsible for maintaining our public schools and for carrying through the process of desegregation."

Kennedy said, "The constitutional requirement of desegregation has presented them (educators) with many new responsibilities and hard challenges." He said the responsibilities have been met "with quiet intelligence and true courage" in New Orleans and in other places represented in the three conferences.

No Negro schools

IN PRINCE EDWARD, county officials have declined to appropriate funds to operate schools. White pupils attend a system of private segregated schools. There has been no provision made for Negroes.

Smith said the people of Prince Edward "have gone to great sacrifices to arrange educational advantages under conditions that they consider decent and proper.

"They have established those (educational) advantages for the white children and are well pleased with them. They are distressed (that) because of outside pressures, the Negro citizens . . . so far have not been willing to assist in the establishment of schools for the Negro children.

"The white citizenry of Prince Edward County was determined upon two things: They would not permit their children to attend an integrated school and despite the tension built up by the Supreme Court decision, by the NAACP, and other such influences from outside the county, they would not permit the long history of peace and quiet which had existed in Prince Edward to be marred by an incident of violence."

A SCHOOL-AID BILL GOES TO CONGRESS

First Plan Asks 2.3 Billion —Kennedy Aims to Widen Foreign Scholarships

By W. H. LAWRENCE

Special to The New York Times.

WASHINGTON, Feb. 27 — The White House sent detailed legislation to Capitol Hill today to carry out a portion of President Kennedy's education program — a $2,300,000,000, three-year aid program for primary and secondary schools.

President Kennedy, at the same time, announced his aim to expand and strengthen the nation's program of foreign scholarships and cultural exchanges as a vital arm of foreign policy.

With Federal education plans already under fire from elements in both parties, the measure offered today invited more controversy by proposing cuts in the aid program for areas with large concentrations of Federal employes and their children. The effect of these amendments would be to reduce present Federal assistance for such areas by about 50 per cent.

Appealing for the enactment of his broad program, Mr. Kennedy wrote to House Speaker Sam Rayburn that he believed the proposed legislation "will lift our schools to a new level of excellence."

Would Develop Talent

"I am convinced," he said, "that the national interest requires us to provide every child with an opportunity to develop his talents to their fullest. Inadequacies in our school system handicap this development."

Speaker Rayburn opposes that part of the Administration program calling for payment of teachers with Federal funds. He would limit the measure to funds for classroom construction and operation.

But the teachers' salary fund remained in the Administration bill sent to Congress today. The measure would provide $2,298,000,000 over the next three years to help states build more public elementary and secondary schools, with the states free to decide whether some of the funds could be used to employ more teachers or pay them higher salaries.

The bill offered today was only part of the $5,700,000,000 aid-to-education program outlined in a special Presidential message last Monday. Included in the broader program are Federal scholarships and payments to educational institutions of $350 an academic year for each scholarship winner.

White House Session

The Presidential plan for expanding the foreign scholarship program was outlined by him today at a White House session with members of the Board of Foreign Scholarships and the United States Advisory Committee on Educational Exchange.

Dr. Robert G. Storey of Southern Methodist University reported as chairman of the Board of Foreign Scholarships, and Dr. Franklin G. Murphy, chairman of the University of California at Los Angeles, reported for the advisory committee.

Senator J. W. Fulbright, Democrat of Arkansas, chairman of the Senate Foreign Relations Committee and legislative sponsor of the foreign scholarship program, and Senator Karl E. Mundt, South Dakota Republican, attennded, as did a group of State Department representatives.

Mr. Kennedy praised the results of governmental programs thus far. He noted, however, that recent "task force reports" to him had emphasized "this whole field is urgently in need of imaginative policy development, unification and vigorous direction."

"As our own history demonstrates so well," the President said, "education is in the long run the chief means by which a young nation can develop its economy, its political and social institutions and individual freedom and opportunity.

"There is no better way of helping the new nations of Latin America, Africa and Asia in their present pursuit of freedom and better living conditions than by assisting them to develop their human resources through education. Likewise there is no better way to strengthen our bonds of understanding and friendship with other nations than through educational and cultural interchange."

At the same time, he appealed to private foundations and voluntary organizations to continue and expand their support and activity in the field of international education and culture.

Newport News Schools Lower Barriers For 14

The Afro American

1/16

NEWPORT NEWS, Va. — The Newport News School Board last week approved the applications of 14 pupils to attend five formerly all-white schools. The applications of 12 other pupils were turned down.

The pupils, scheduled to enter the five elementary schools in the fall will be the city's first to be granted reassignment since the Supreme Court ruled out segregation on the basis of race in 1954.

Among the applications turned down were those of two for the new Homer L. Ferguson High School and three for the Newport News High School.

THE BOARD'S action, taken upon the recommendation of Dr. Robert O. Nelson, school superintendent, climaxed a five-year effort by residents of Newport News to integrate the city's schools.

In 1956, fifty-three children and their parents asked the United States District Court to order the city's white schools opened to them.

The status of the original suit was clouded, however, in 1958 when Newport News merged with Warwick. Ten pupils then filed suit against the merged city, seeking admission to Walter Reed School, located two blocks from their homes.

Following court approval of the city's desegregation plan last year, 24 pupils sought reassignment to Reed School. When tests were administered in accordance with the assignment plan, only three pupils took it. None was assigned to the school.

This year, however, Walter Reed School will be opened to colored pupils, but no white pupils are expected to attend.

Most of the 26 pupils who applied for transfer this year are the children of servicemen stationed at Fort Eustis.

Baltimore Md

ELSEWHERE IN Virginia, the Lynchburg School Board became the first in the state to vote voluntarily to prepare a plan for gradual desegregation.

The board voted 5-1 to direct board chairman Duncan C. Kennedy Jr., to name a committee to consider and recommend such a plan.

No timetable was adopted for the plan, though Kennedy said that there will be "progress reports as they go along."

The committee report was based on the Supreme Court decision that compulsory school attendance is unconstitutional.

"The court's ruling is the law of the land," the report said, "and good citizens for generations have affirmed the wisdom of obedience to law.

* * *

"THE QUESTION is not whether desegregation shall take place — that has been decided. The questions are how to follow the law. . with the least interruption of the educational program; which of the methods available for following the law is the most practical for our community?"

The report also pointed out the desirability of initiating voluntary action rather than waiting for the "inevitable court order which might cause disruption of children's education, great legal expenses and harsh feelings between the races."

* * *

A SURVEY conducted by a Richmond newspaper revealed Friday that twice as many colored pupils will attend formerly all-white public schools in Virginia this fall as did last year, but that they will still represent less than one per cent of the enrollment in the desegregated schools.

A total of 529 colored pupils are slated to enter desegregated schools next month, compared with about 200 enrolled last year.

They will be joined by 60,834 white pupils in 67 schools, representing at least one school in each of 28 Virginia counties.

In addition to the 67 desegregated schools in the localities involved, 303 all-white and 96 all-colored schools will be operated.

* * * *

IN ATLANTA the Board of Education refused for the second time the applications of 38 pupils who were among 122 turned down during July by the board.

D. L. Hollowell, attorney for the pupils, stated prior to the board's action that in event of rejection an appeal would be made to the State Board of Education or the U. S. District Court.

* * *

EARLIER in the week, the State Board of Education reversed the Atlanta board's denial of a transfer to a white pupil from a school slated for desegregation in September to one where integration is not yet planned.

"We find ourselves again in the middle of a conflict between state and federal between state and Federal directives," said L. Jim O'Callaghan, board chairman.

* * *

ATLANTA WAS also the scene of the blocking of an attempt at reverse-desegregation by Otis Ingle, a 26-year-old white man who had applied to study bricklaying and plastering at the Carver Evening Vocational School.

Ingle said that there was no place else in the city to study bricklaying and plastering and that he had been favorably impressed by the Carver class.

Deputy School Superintendent Rual Stephens said that he turned down the application because there is at present no provision for segregating vocational schools.

* * *

OFFICIALS OF Altanta's Roman Catholic Schools said last week that, so far, they have received no applications for colored admissions to white shcools.

The Rev. Harold J. Rainey chancellor of the diocese added, however, that the church would do its utmost to avoid publicity if any applications were received.

Commenting on the opening of a new Catholic High School, Drexel, which will be opened this September in a predominately colored neighborhood, Father Rainey said:

"Until recently there was no need for a colored Catholic high school here. The purpose of Drexel is not to continue segregation, but to ensure young colored Catholics an education near where they live."

He added that the acceptance of colored children in traditionally white parochial schools would depend greatly on how desegregation was received in Atlanta's public schools.

* * *

THE RICHMOND attorneys for Prince Edward County, Va., filed a 38-page memoramdum in Federal District Court arguing against a possible federal court injunction which would prevent the county from keeping its public schools closed.

J. Segar Gravatt, counsel for the county board of supervisors, submitted a petition to Judge Oren R. Lewis which contended that tuition grants paid the parents of children attending private segregated schools are made in protection of the freedoms of choice and association by the parents and pupils.

* * *

IN NEW ORLEANS, the school board announced Monday that "fewer than 10" colored pupils would be admitted to the six schools which will be desegregated in that city in September. Two schools, McDonogh 19 and William P. Frantz, were desegregated last year with the admission of three first graders to McDonogh and one to Frantz.

Schools slated for desegregation for the first time this year are Judah P. Benjamin, Robert M. Lusher, McDonogh 11, and Andrew H. Wilson.

* * *

EMILE A. WAGNER JR., a segregationist member of the board, defied the four other members by making public the names of the new schools slated for desegregation.

"I know of no federal asked the federal courts for and had challenged the Conmanner so its Constitution-integration in September would not lead to much actual classroom integration."

Samuel Rosenberg, school board attorney, replied that the state Pupil Placement Law would be in danger if the board did not effect further integration.

The NAACP, he said, had asked the Federal courts for total integration of the city school school system this fall and had challenged the constitutionality of the Pupil Placement Plan.

* * *

"THE BOARD," he said, "is trying to apply the law in a non - discriminatory manner so its constitutionality will be upheld."

On the following day, Federal District Judge J. Skelly Wright set August 21 for a hearing on the NAACP motion.

A. P. Tureaud Sr., NAACP attorney, filed the motion last May 8, complaining that the assignment of four of the city's 50,000 colored pupils to desegregated schools failed to meet the court's mandate for desegregation.

* * *

AT DALLAS, Texas, supporters of integration of the city's schools charged that

Integrated school districts show 18 increase in Dixie

NASHVILLE, Tenn. — Southern School News reported on the eve of the start of the 1961-62 school year that at least 18 more school districts in Dixie will desegregate this fall, 14 of them voluntarily.

However, the publication, issued monthly by the Southern Education Reporting Service, said that there will be no increase in the percentage of colored pupils attending mixed classes.

The report said that the additional 18 districts planning desegregation will bring to 801 the number of school districts in the South operating biracial schools.

Less than seven percent of the colored pupils in the South will be taught in the mixed classes, the report said. Six of the newly integrated school districts are in Virginia. Four are in Texas, three in Tennessee, two in North Carolina and one each in Florida, Georgia and Kentucky.

the "highly publicized preparations" of the Dallas Citizens Council for "peaceful ber would not lead to much actual classroom integration."

The charge is based upon the claim that the standards for transfer set by the School Board would serve as an effective barrier to the reassignment of colored pupils.

One of the provisions under heaviest attack was one stating that in no case would a child be permitted to attend an integrated school if a brother or sister attends a colored grade school.

* * *

A RECENT survey in one district revealed that only three of 30 six - year - old pupils checked do not have brothers or sisters in colored grade schools.

Opponents of this rule contend that if this percentage held true throughout the city, all but 300 of the 3,000 eligible first graders would be barred from reassignment.

Other provisions require that both the pupil and its parents must want the child to attend an integrated school and must have acceptable reasons.

The procedure for application requires that the principal of the colored school which the pupil would normally attend make the initial recommendation to the school board.

This, it is charged, creates an opportunity to further limit desegregation by fear and intimidation of the colored principals.

* * *

FEDERAL JUDGE Edwin M. Stanley ruled in U.S. Middle District Court at Greensboro, N.C. last week that Stanley B. Vickes of Carboro, N.C. is entitled to attend the Chapel Hill Junior High School.

The jurist ruled also that five other colored pupils may take steps that could lead to the integration of the Caswell County schools. The pupils, he said, have "exhausted administrative remedies" and are technically entitled to take further steps (court action) for reassignment.

THE WEEK'S news on the integration front was not confined to the Southern and Border states.

In New York City, four community leaders charged John J. Theobald has become a victim of "savage reprisal" for his efforts to integrate the city's schools.

Dr. Theobald is under fire for having students at a vocational school build a boat for him.

In a letter to Charles H. Silver, president of the Board of Education, and other members of the board, Dr. Theobald's backers said that there might be some "valid questions" about the school superintendent's judgment in having the boat boat built by the students.

"But the information available so far does not seem to suggest that these questions impair his effectiveness or educational leadership," they said.

The signers of the letter were Dr. Kenneth B. Clark, professor of psychology at City College; A. Phillip Randolph, president of the Brotherhood of Sleeping Car Porters; Jackie Robinson, former major league baseball player, and Thomas B. Dyett, a New York lawyer.

* * *

AT NEW ROCHELLE, the city board of education voted Friday to appeal to the United States Supreme Court for a final decision on whether the Lincoln School, now 94 per cent colored, should be integrated.

On Thursday the United States Court of Appeals upheld a lower court order for the school's desegregation.

Four white members of the board voted for the appeal. three were absent. The sole vote against the appeal was cast by Mrs. Pauline Flippen, the board's only colored member.

14d(1) 1961 GENERAL

Try Integration In All But 2 States

NASHVILLE, Tenn. — The entrance of five Negroes into the University of Georgia in January left only two states, South Carolina and Mississippi, that never have had bi-racial classes in any tax-supported schools, Southern School News reports in its February issue.

Not since 1955, when under a federal court order two Negroes entered the University of Florida, has a state changed from a policy of complete school segregation, the monthly publication said. Late in 1960 Louisiana had its first grade school desegregation; but, also under court order, its predominantly white state colleges in 1950 quietly had begun to admit Negroes.

Although Alabama does not now have any Negroes attending classes with whites, it experienced its initial school desegregation in 1956 with the admission of Autherine Lucy to the University of Alabama. Miss Lucy attended classes for three days, but authorities excluded her because of riots. She later was expelled for accusing college officials of conspiracy in the violence.

After her expulsion was upheld by the same court that ordered her admission, the Board of Trustees announced it still would consider applications from qualified Negroes.

TOTAL RESISTANCE

Alabama Gov. John Patterson expressed a different view at a January press conference. Amid news reports of Georgia's desegregation and unofficial reports that Ala., Negroes were planning to enroll in their state university this spring, in young governor again pledged his total resistance to any school desegregation, Patterson specifically included the University of Alabama in repeating his determination to close any state-supported school before submitting to court-order admission of Negroes.

College desegregation in the South has preceded the change-over to biracial schools in the lower grades.

Twelve of the 17 southern and border states desegregated their colleges voluntarily or by court order before 1954. The District of Columbia merged its white and Negro colleges in 1954, followered by the brief Alabama desegregation in 1956 and the Florida admission of two Negroes in 1958.

Public school desegregation below the college level in the South has occurred at a slower pace, over a shorter time, in a later period. Only two states, Delaware and Texas, had a school district desegregated before the Supreme Court's decision. Both states, whose first college desegregation occured in 1950, had one district each to begin bi-racial schools in 1954.

EARLY COMPLIANCE

Four states with segregated schools complied immediately with the Supreme Court ruling in 1954, and four others joined the list in 1955. All previously had desegregated at least one statesupported college, some beginning back in 1936 and 1938.

North Carolina had three school districts to desegregate voluntarily in 1956 and Virginia and Florida experienced grade school desegregaation in 1959. Again, all three had some previous public college desegregation.

In January one school district desegregated for the first time and another district received a federal judge's order to desegregate next September.

Forty-one Negro children entered previously all-white Davidson County, Tenn., schools on Jan. 23, making seven desegregated school districts in the state and 778 in the South.

Two other Southern cities, Dallas and Atlanta, also have orders from federal courts to desegregate on a grade-a-year basis beginning with the 1961-62 school year.

In the Chattanooga, Tenn., school suit, U. S. District Judge Leslie R. Darr refused to accept a Board of Education plan for desegregation. Darr objected to a proposal to begin desegregation only in schools selected by the school board. The board has 60 days to submit a new plan.

In Louisiana, the U. S. Fifth Circuit Court of Appeals took under advisement an appeal by East Baton Rouge and St. Helena Parishes (counties) and six state-supported trade schools. A federal district court last year had ordered them to desegregate "with all deliberate speed."

6 Cities Ask Extra State School Aid

$29.5 Million To Teach 'Deprived'

By James J. Morisseau

ALBANY, Jan. 24. — The School Boards of the state's six largest cities today asked for a massive, $29,500,000 dose of state aid to help them solve the problems posed by their rapidly shifting populations, and by the steady influx of Negro, Puerto Rican and other "culturally deprived" youngsters.

The Conference of Large City Boards of Education, meeting in the Manger-DeWitt Clinton Hotel, acted on a proposal by Charles J. Bensley, a member of the New York City Board of Education. It called specifically for a special school aid formula, giving the city and other areas with similar problems a flat grant of $25 a pupil over and above normal state aid.

The "big-city" formula, if adopted by the 1961 Legislature, would cost $29,500,000 for the six cities alone. New York would get about $25,000,000; Buffalo, $1,725,000; Rochester, $1,050,000; Syracuse, $750,000; Yonkers, $650,000, and Albany, $325,000.

There was no estimate of the cost in such areas as Kingston, Newburgh, Poughkeepsie and parts of Westchester, Nassau and Suffolk Counties, which Mr. Bensley suggested also might qualify for the special aid.

Bi-Partisan Support

State Sen. Ivan Warner, a Democrat from the 27th Senatorial District in the Bronx, announced that he would introduce the necessary legislation in the Senate. And members of the Yonkers School Board said they had been assured that a Westchester Republican would introduce a companion bill in the Assembly, thus assuring bi-partisan support for the measure.

The special aid formula was one of three state aid proposals indorsed at today's meeting that together would mean a statewide increase in school aid of $153,500,000 next year. Of that amount, New York City would receive an estimated $50,000,000 in additional state aid.

The big-city school officials indorsed the proposal of the Educational Conference Board that the basic state aid formula be increased by 15 per cent next year, as a temporary measure, pending the report of a special committee named by Gov. Rockefeller to overhaul the state aid structure.

The 15 per cent increase, from the basic formula of $389 to approximately $450 a pupil, would cost $95,000,000 next year, of which New York would get, under present conditions, some $26,000,000 to $27,000,000.

And the conferees backed a proposal that state aid be paid on the basis of current school attendance, rather than on that of the preceding year. This would cost $29,000,000, of which New York City would get between $7,000,000 and $8,000,000.

In arguing for the big-city formula, Mr. Bensley pointed out that the Legislature last year recognized the special problems of the fast-growing suburban school districts, and provided special aid for them.

But the big cities have equal, if not more serious problems, he said, because of shifting populations that leave some schools half-empty and cause others to be overcrowded, and because of the migration of Puerto Ricans and Southern Negroes, who need expensive special help in the schools.

Calls Need Desperate

The cities and other areas with similar problems, he added, are indesperate need of state help to provide the special programs needed to give "equal and full opportunity of education for all children," including those from economically and culturally deprived families and neighborhoods.

Such aid, he stressed, is needed immediately and cannot await the report of the Governor's Diefendorf Committee, which is not scheduled to recommend a new state aid structure before March 31, 1962.

He pointed out that the six cities alone have about 1,181,000 of the 2,768,469 pupils in the state, and commented: "I don't believe that we can permit these children to remain in cold storage. Immediate relief is needed."

The principle of special aid to big cities was recognized, Mr. Bensley noted by President Kennedy's task force on education, which recommended Federal aid of $20 a pupil to the nation's largest cities.

The School Board members also indorsed a proposal by Mr. Bensley calling for the creation of a permanent commission on education, to function much as the Diefendorf Committee, but on a long-term basis. The commission would be composed of twelve members appointed by the Governor and the Legislative leaders. At least four would be representatives of the big-city School Boards.

Integration inroads—

Two states avoid mixing

NASHVILLE, Tenn., Feb. 3—The entrance of two Negroes into the University of Georgia in January left only two states, South Carolina and Mississippi, that never have had biracial classes in any tax-supported schools, Southern School News reports in its February issue.

ALTHOUGH ALABAMA does not now have any Negroes attending classes with whites, it experienced its initial school desegregation in 1956 with the admission of Autherine Lucy to the University of Alabama. Miss Lucy attended classes for three days, but authorities excluded her because of riots.

She later was expelled for accusing college officials of conspiracy in the violence. After her expulsion was upheld by the same court that ordered her admission, the Board of Trustees announced it still would consider applications from qualified Negroes.

Alabama Gov. John Patterson expressed a different view at a January press conference.

Amid news reports of Georgia's desegregation and unofifcial reports that Alabama Negroes were planning to enroll in their state university this Spring, the young governor again pledged his total resistance to any school desegregation. Patterson specifiaclly included the University of Alabama in repeating his determination to close any state-supported school before submitting to court-order admission of Negroes.

TWELVE OF THE 17 Southern and border states desegregated their colleges voluntarily or by court order before 1954. The District of Columbia merged its white and Negro colleges in 1954, followed by the brief Alabama desegregation in 1956 and the Florida admission of two Negroes in 1958.

Public school desegregation below the college level in the South has occurred at a slower pace, over a shorter time, in a later period. Only two states, Delaware and Texas, had a school district desegregated before the Supreme Court's decision.

Both states, whose first college desegregation occurred in 1950, had one district each to begin biracial schools in 1954.

Four states with segregated schools complied immediately with the Supreme Court ruling in 1954, and four others joined the list in 1955. All previously had desegregated at least one state-supported college, some beginning back in 1936 and 1938.

Three North Carolina school districts desegregated voluntarily in 1956; Virginia and Florida experienced grade school desegregation in 1959. All three had some previous public college desegregation.

Forty-one Negro children entered 11 previously all-white Davidson County, Tenn., schools on Jan. 23, making seven desegregated school districts in the state and 778 in the South.

Galveston and Dallas, Tex., and Atlanta have orders from federal courts to desegregate on a grade-a-year basis beginning with the 1961-62 school year.

In a Chattanooga, Tenn., school suit, a U. S. judge refused to accept a board of education plan for desegregation. The board has 60 days to submit a new plan.

In Louisiana, the U. S. Fifth Circuit Court of Appeals took under advisement an appeal by East Baton Rouge and St. Helena Parishes (counties) and six state-supported trade schools. A federal district court last year had ordered them to desegregate "with all deliberate speed."

Major developments in January were:

ALABAMA—Gov. John Patterson again pledged total resistance to desegregation at any level of any state-supported school.

ARKANSAS—Gov. Orval E. Faubus, beginning an unprecedented fourth term, offered two constitutional amendments linked to the school racial situation.

FLORIDA—A federal judge said he would rule before May 1 in a suit seeking to desegregate Escambia County schools at Pensacola.

GEORGIA—Two Negro students entered the University of Georgia.

KENTUCKY—The Knox County Board of Education, with one biracial school, answered a desegregation suit with the denial that its schools practice racial segregation.

LOUISIANA—The Legislature narrowly defeated Gov. Jimmie H. Davis' proposal to increase the state sales tax to finance private, segregated, grant-in-aid schools.

MISSISSIPPI—A Mississippi editor urged the PTA to make teachers out of parents in the event schools are closed.

NORTH CAROLINA—A delegation of Charlotte citizens protested that plans for campuses for two community colleges were aimed at preserving segregation but the college trustees replied that the system is not segregated.

OKLAHOMA—A proposal to eliminate 117 small high schools by revising the state aid law may result in two more Oklahoma districts desegregating.

SOUTH CAROLINA—A sprinkling of school segregation measures faced the South Carolina General Assembly when ot convened in January.

TENNESSEE — Davidson County became the seventh school system in the state to desegregate as 41 Negroes entered formerly white schools Jan. 23.

TEXAS—U. S. District Judge Ben C. Connally ordered Galvestor to begin grade-a-year desegregation in September.

VIRGINIA—Prince Edward Negroes intensified their efforts to force reopening of the county's public schools.

Bob Kennedy Says Troops Won't Be Needed In School Integration Cases

NEW YORK — Attorney General Robert Kennedy said Monday that it is inconceivable that the Kennedy administration would ever be forced to resort to the use of federal troops in a school integration crisis such as Little Rock.

In an interview appearing in the current issue of Look magazine, Kennedy declared that he connot "conceive of this administration's letting such a situation deteriorate to that level."

"In my judgement, examining the facts, we could have handled the situation with United States marshals, who have a fine record and are equipped to handle the job," the attorney general said.

On the general subject of civil rights, Kennedy called for strong and vigorous action but cautioned that laws alone will not be sufficient.

"There has got to be—and there is going to be—leadership from the White House. That is going to make the difference," he said.

Asked whether the Justice Department will pursue a more aggressive policy in aiding civil-rights suits, Kennedy replied:

"I have the impression that people in the Department of Justice wanted to do more, but were held back by a general hands-off policy of the past administration. This won't be true in the future."

The President's brother also used the interview in Look to lash out at the "great deal of hypocrisy" on the subject such as Southerners who "perpetuate a vast disparity of opportunity for white and Negro, and then use this same disparity to argue the Negro isn't ready for full citizenship."

"I also have in mind," he added, "a great many people in the North whose lives indicate they would rather talk about integration than live it—newspaper editors, for instance, who preach civil rights, but belong to restricted clubs and send their children to schools where there are no Negroes."

14d(1) 1961

GENERAL

18 new districts to mix in fall

The Afro American

P. 15

ATLANTA—Nearly a dozen pupils are slated to smash down the walls of segregation in the Atlanta public school system Aug. 29 and authorities have promised to do the same for anyone who attempts to stop them.

With the admission of 10 to the 11th and 12th grades at an Atlanta high school, the city is one of four districts desegregating this fall. Some 14 others are lowering their color barriers on a voluntary basis.

In addition to Atlanta, the other districts desegregating under court order are Newport News, Va., and Dallas and Galveston, Texas.

Baltimore Md.

WITH 18 NEW districts operating on an integrated basis, there is some desegregation in all areas affected by the 1954 Supreme Court decision but Alabama, Mississippi and South Carolina.

A suit to open up the University of Mississippi is now in court, and civil rights officials reports that efforts again will be made to crack the barriers in Alabama and South Carolina.

Besides voluntary action on 14 new fronts in the public school system, five institutions of higher learning - four of them church-supported are admitting colored students for the first time this fall.

They are Mars Hill College, Duke University and Davidson College, all in North Carolina, Georgia Tech and Oklahoma Christian College.

* * *

OTHER NEW districts desegregating are:

Lockney and Judson Ruxal Schools of Floyd and Bexar Counties, Texas, and Austin, Texas; Harnett County and Asheville, N.C., six more communities in Virginia;

And also Washington County, Johnson City and Kingsport, Tenn.; as well as six more schools in Dade County (Miami), Fla. Also, New Orleans is expected to assign colored pupils to two to four more schools for a total of six.

2 Tenn. Counties Must Desegregate All Grades

The Afro-American dat. 11-4-61

25 Virginia pupils to get new hearing

Baltimore, Md.

NASHVILLE, Tenn. — In contrast to gradual integration plans in effect in a number of Tennessee areas, Federal Judge William E. Miller last week ordered complete desegregation of Lebanon and Wilson County public schools.

Following a hearing on a suit by parents, seeking desegregation of all grades, Judge Miller ordered all county schools be rezoned by Jan. 2 and pupils reassigned on the basis of the rezoning.

Meanwhile, it was also announced last week that the board of education has okeyed a grade-a-year plan for Franklin schools beginning in the fall. The plan, however, does not affect Williamson County schools.

The school board took action in response to the efforts of the Williamson County Council of Christian Men.

* * *

AND ON the Mississippi school front, Campbell College has admitted 15 pupils who were kicked out of Burgland High School in McComb for participating in demonstrations against racial segregation.

A spokesman for the Student Nonviolent Coordinating Committee, Dion Diamond of Petersburg, Va, added that some 70 more pupils are expected to enroll at Campbell.

The pupils in question were refused admission to Burgland for declining to sign an agreement not to participate in any more demonstrations against racial segregation.

The NAACP congratulated the college on its actions.

* * *

AND IN VIRGINIA, some 25 pupils have won a review in an effort to get transfers to Veneable and Johnson Elementary and Lane High Schools in Charlottesville.

Judge John Paul declared that the board of education and Supt. Fendall R. Ellis erred in not making the same rules applicable to pupils of both races seeking transfers.

Samuel W. Tucker, representing the youths, argued that white pupils were granted transfers regardless to residence or outcome of academic tests.

Now that Judge Paul has disposed of the Charlottes-case, on his calendar are 12 youths seeking admission to desegregated Warren High and Front Royal elementary Schools.

* * *

AND IN DALLAS, where 18 pupils desegregated schools this fall, parents of more than 80 seventh graders are hopping-mad because their children are being transferred across town to school, when white schools in the area are operating at half capacity

The parents have petitioned the school board to relieve the pupils and parents oft he unnecessary burden, by permitting the pupils to be enrolled at either Sudie Williams or Longfellow schools.

* * *

AND IN ATLANTA, where nine pupils desegregated four high schools in August, 38 children are seeking transfers. They are among the 134 original applicants.

The board will hear their requests for transfers Nov. 14-15.

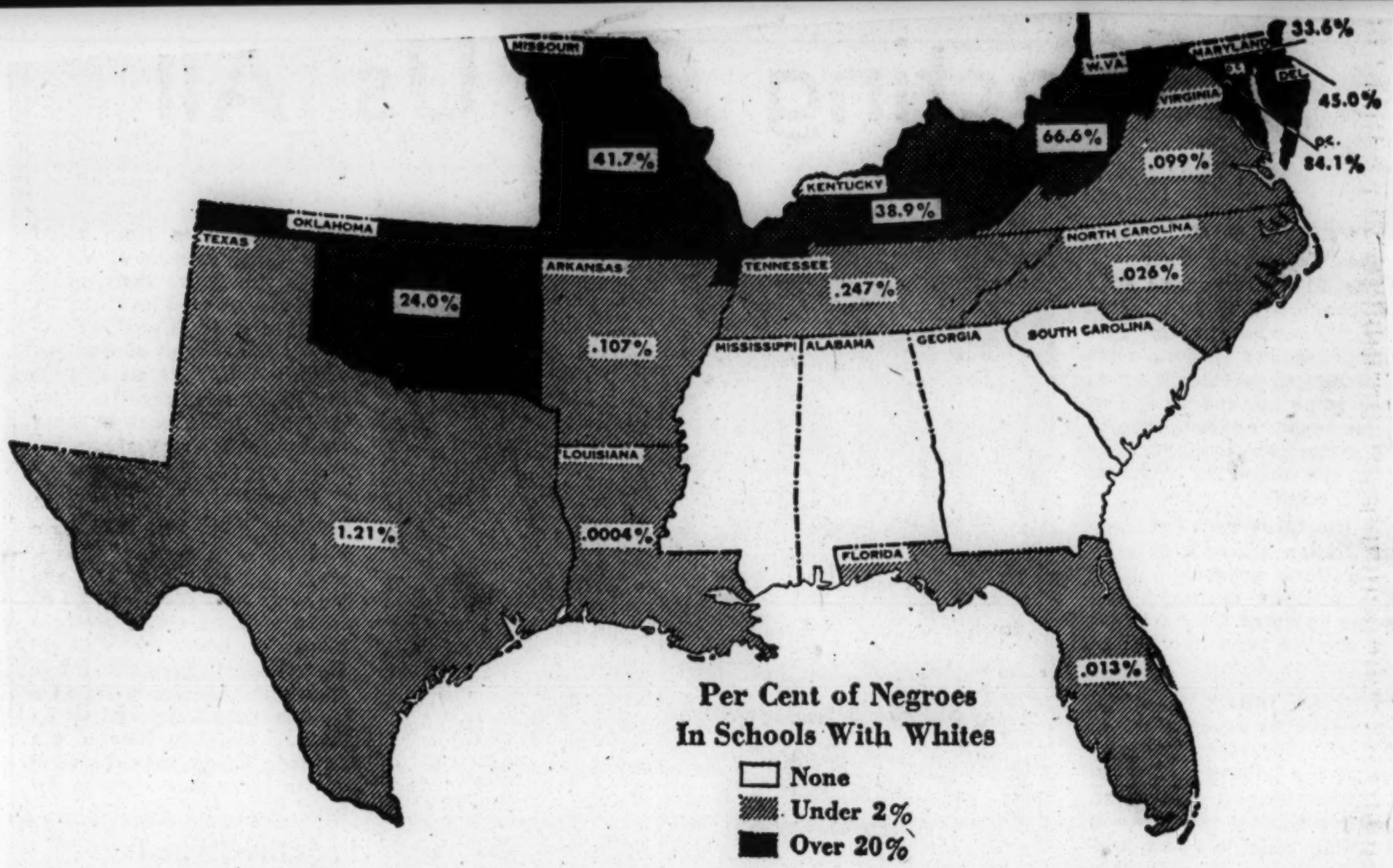
The group indicate they will appeal to the Federal court if their requests are turned down again.

Their appeals will be based on the same questions upon which Judge Paul ruled against the Charlottesville Board of Education last week — screening must be applicable to pupils of both races and rejections cannot be based solely on race.

* * *

SPEAKING BEFORE the annual meeting of the State Boards Association, Dr. James E. Allen Jr., New York State education commissioner, said educators must lead the way to end racial discrimination in New York public schools

He told those at the Syracuse meeting that the problem of racial segregation in schools is "one of the more complex and one of the most important" faced by the boards of education.



Snail-Paced Progress Of School Desegregation Since 1954

This map, furnished by the Southern Education Reporting Service (SERS) reflects the slow progress of school desegregation since the Supreme Court decision in 1954, based upon statistics through May 1961. Meanwhile, the SERS reports that 18 more school districts in Dixie will desegregate this fall. Six of the newly-desegregated districts will be in Virginia. Overall, however, there will be no increase in the number of Negro pupils attending previously white schools.

In the field of higher education in Virginia, four of the 13 previously all-white public instutions have enrolled Negroes to a very small degree. William and Mary, for instance, has enrolled Negroes in its graduated and professional schools. But the SERS reports no Negro students attending W & M at Norfolk, with 4,113 enrollment; or W & M at Williamsburg with 3,813 enrollment.

The SERS report, which is an exhaustive study of the progress or lack of progress in states shown on the map, is a valuable reference document. It may be obtained by writing Mr. Reed Sarratt, Executive Director, Southern Education Reporting Service, P. O. Box 6156 Acklen Station, Nashville 12, Tennessee.

Progress Comes Slowly In Dixie

18 More Southern School Districts To Lower Bars

Journal and Guide
Norfolk, Va.
Sat. 8/19/61

NASHVILLE, Tenn. — (UPI)—Southern School News has reported that at least 18 more school districts in Dixie will desegregate this fall, 14 of them voluntarily.

But the publication, published monthly by the Southern Education Reporting Sevice, said there will be no increase in the percentage of Negroes attending schools with white students.

THE REPORT said six of the newly - desegregated school districts are in Virginia. There will be four in Texas, three in Tennessee, two in North Carolina and one each in Florida, Georgia and Kentucky.

SERS, supported by the Fund Foundation, keeps a running check of racial developments in 17 Southern and border states and the District of Columbia.

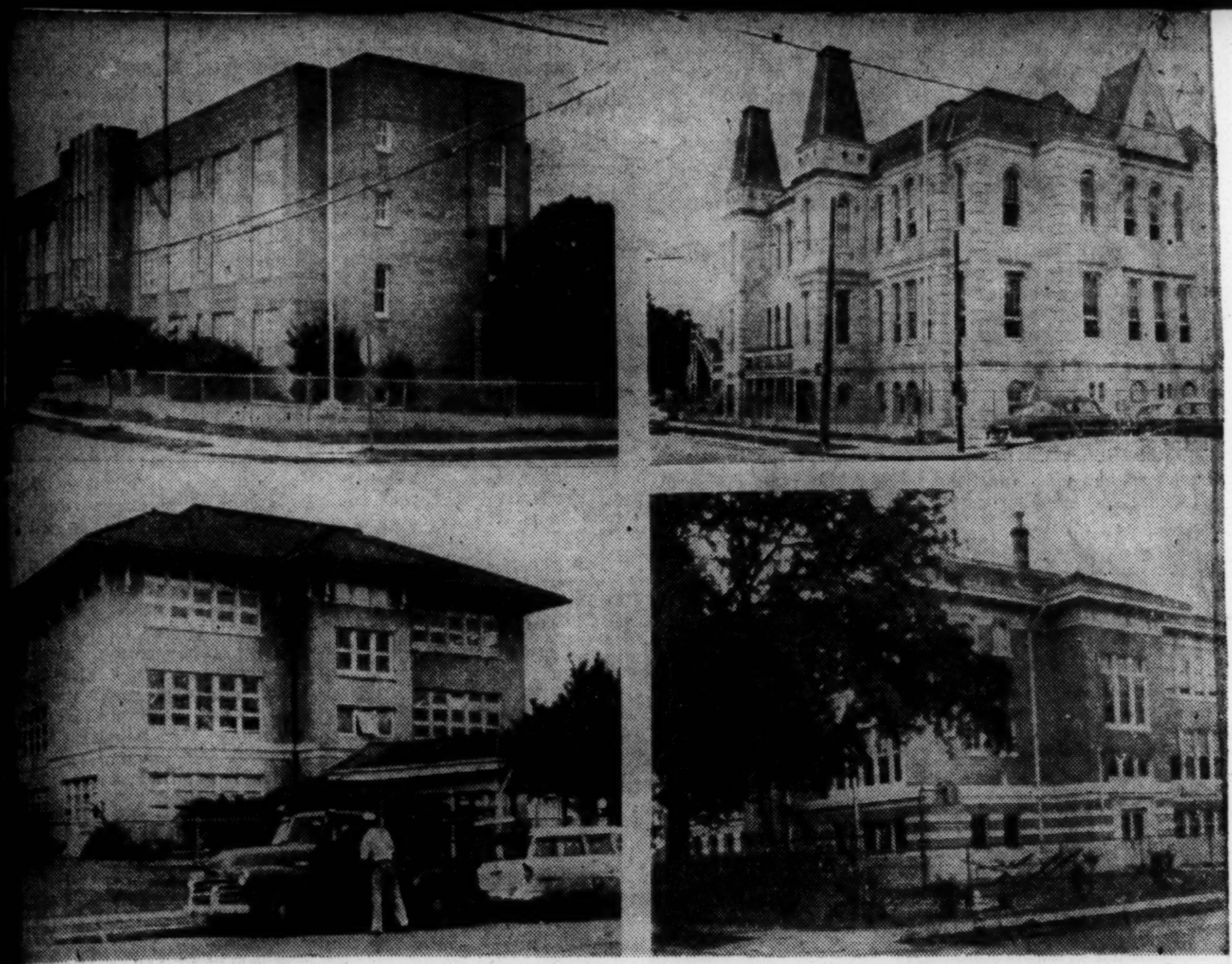
THE REPORT said the additional 18 districts planning desegregation will bring to 801 the number of school districts in the South operating biracial schools.

Despite the increase in the number of integrated schools, the publication said, only about seven per cent of the Negroes attending schools in the South will be taught in mixed classes.

FOUR ATLANTA high schools will admit 10 colored pupils to 11th and 12th grade classes later this month, marking the first time Georgia has permitted mixed classes below the college level.

Miami"s Dade County has increased the number of desegregated schools from four to 10. Southern School News said. There will be about 250 colored pupils in integrated Miami schools, compared with a total of 39 last year.

7



Four More Schools To Be Desegregated In New Orleans

The New Orleans' city public school system will integrate four more previously all-white schools net month, it was announced Aug. 7. The schools are: Judah P. Benjamin (top left), McDonogh 11 (top right), Robert M. Lusher (bottom left), and Andrew H. Wilson (bottom right). Integration of the four elementary schools will bring the total of desegregated schools to six. (UPI Telephoto)

14d(1) 1961 GENERAL DEC. SCHOOL RELIGION CASE

High Court Will Decide School-Religion Case

WASHINGTON (AP) — The Supreme Court agreed Monday to consider whether it is constitutional for teachers to lead their pupils in prayer in public schools.

Objections to such a practice were raised by parents of nine children in four schools in New Hyde Park, N.Y. They contend it violates the principle of separation of church and state.

This is the first time the high court has undertaken to answer this highly controversial question and it is not expected to hear the case until late next spring.

The appeal relies heavily on previous Supreme Court rulings which (1) outlawed religious instruction on public school property and (2) approved a system of letting students get such instruction elsewhere during school hours.

In the New Hyde Park schools the pupils begin their day in the class-room by saying this brief prayer:

"Almighty God, we acknowledge our dependence upon thee, and we beg thy blessings upon us, our parents, our teachers, and our country."

This follows a recommendation to all local school boards made by the New York Board of Regents, the state's governing body for its public schools. It was upheld by New York's state courts.

The parents who appealed said the player is a form of coercion on their children. Some of the parents are members of the Jewish faith, or the Unitarian Church and the Society for Ethnical Culture while one parent is a non-believer.

New York's highest tribunal, the Court of Appeals, said there is no coercion because there is adequate protection in that "no pupil need take part or be present during the act of reverence."

To hold that saying the prayer is unconstitutional, the court said, "would be in defiance of all American history and such a holding would destroy a part of the essential founding of the American governmental structure.

"Belief in a supreme being is as essential and permanent a feature of the American governmental system as is freedom of worship, equality under the law and due process of law," the court added.

In another decision, the Supreme Court let stand a ruling that Negroes accused of misconduct in Alabama must be given a hearing before they are expelled from state colleges.

It refused to hear an appeal by Alabama from a decision by the U.S. Circuit Court in New Orleans involving six students of Alabama college for Negroes in Montgomery. They had been expelled after becoming involved in lunch counter demonstrations in Montgomery and Tuskegee in February, 1960.

The court, in an unanimous ruling, told the states that where there is an interstate dispute over financial claims against a commercial firm they should bypass the state courts.

This reversed the application of a 1953 Pennsylvania law in which the state demanded $39.857 from unclaimed money order funds received by Western Union.

Western Union claimed the money itself but fought the Pennsylvania ruling on grounds that it would have no protection if other states involved in the transactions made similar demands.

Justice Hugo L. Black, delivering the court's opinion said such disputes should be taken directly to the federal courts.

"The rapidly multiplying state escheat laws, originally applying only to land and other tangible things but recently moving into the elusive and wide-ranging field of intangible transactions have presented problems of great importance to the states and persons whose rights will be adversely affected," Black explained.

The court granted hearings to two men who were convicted of contempt of Congress for refusing to answer questions asked by the House Committee on Un-American Activities.

They are Bernard Silber, New York City and Frank Grumman, Fort Lee, N.J.

Court to Decide School Prayers

WASHINGTON, Dec. 4 (UPI)—The Supreme Court agreed today to decide whether a state-sanctioned prayer in a public school is constitutional.

The issue involving religious freedom will be argued before the court and a decision will be handed down later. The case was prompted by a protest by several parents in the new Hyde Park, N.Y., school system where a prayer is read after a pledge of allegiance to the flag.

In another far-reaching school decision, the court let stand today an appeals court ruling that college students at a tax-supported school cannot be expelled for misconduct without a hearing.

This case—which could affect every tax-supported college in the country—involved six students expelled from Alabama State College, a Negro institution at Montgomery. They were thrown out of college after being accused of serving as ringleaders of sit-in and similar demonstrations in Montgomery and Tuskegee.

Right to Defense

The lower court ruling held that they should have been given a chance to present a defense, the names of witnesses who spoke against them and a report of the facts which were used as the basis of expulsion.

The prayer used in the New Hyde Park schools had been approved by the New York State Board of Regents. The local school board had voted in 1958 to have it used in the public schools.

Parents of children in four schools filed suit to stop the practice on grounds it was contrary to their beliefs, that it favored belief over non-belief and that it amounted to religious coercion of the students.

New York courts had ruled against the parents who included two members of the Jewish faith, one Unitarian, one member of the Society for Ethical Culture and one non-believer.

Other Decisions

Handing down decisions for the first time in two weeks, the court also:

1. Agreed to decide whether U.S. labor law applies to foreign-owned ships with foreign crews which operate regularly out of American ports. The case came to the high tribunal on appeal by the Incres Steamship Co., Ltd., owner of two ships of Liberian registry with European crews. The company, however, has an office in New York City and runs regular cruises between there and the Caribbean.

2. Refused a hearing to two Chicago union organizers who claimed they were unconstitutionally denied the right to pass out union leaflets at a privately owned customer lot. Leonard D. Goduto and Nathan Friedman were convicted of violating the state trespass law and fined for refusing to leave a Sears, Roebuck & Co. parking lot.

3. Agreed to hear appeals of two men convicted of contempt were raised by parents of nine children in four schools in New Hyde Park, N. Y. They contend it violates the principle of separation of church and state.

This is the first time the high court has undertaken to answer this highly controversial question and it is not expected to hear the case until late next spring.

The appeal relies heavily on previous Supreme Court rulings which outlawed religious instruction on public school property but approved a system of letting students get such instruction elsewhere during school hours.

Upheld In State

In the New Hyde Park schools the pupils begin their day in the classroom by saying this brief prayer:

"Almighty God, we acknowledge our dependence upon Thee and we beg Thy blessings upon us, our parents, our teachers and our country."

This follows a recommendation to all local school boards made by the New York Board of Regents, the state's governing body for its public schools. It was upheld by New York's state courts.

The parents' appeal said the prayer is a form of coercion on their children. Some of the parents are members of the Jewish faith, or the Unitarian Church and or the Society for Ethnical Culture. One parent is a non-believer.

New York's Court of Appeals said there is no coercion because there is adequate protection in that "no pupil need take part or be present during the act of reverence."

'Belief Is Essential'

To hold that saying the prayer is unconstitutional, the court said, "would be in defiance of all American history and such a holding would destroy a part of the essential founding of the American governmental structure." It added:

"Belief in a Supreme Being is as essential and permanent a feature of the American governmental system as is freedom of worship, equality under the law and due process of law."

Court To Give Prayer Ruling

Parents Object To Practice In New York School As 'Form Of Coercion'

By The Associated Press

WASHINGTON, Dec. 4.—The Supreme Court agreed Monday to consider whether it is constitutional for teachers to lead their pupils in prayer in public schools.

Objections to such a practice

CHURCH COUNCIL FIXES CRITERIA

Belief Trinity, Bible as Guides of Faith

By GEORGE CORNELL

NEW DELHI, India (AP)—The World Council of Churches has spelled out additional requirements for membership, including belief in the Holy Trinity and the Bible as guides of faith.

It was a fundamental step for the council, which embraces a vast and varied cross-section of the Christian groups.

Churchmen ranging from plain Bible-stressing Evangelicals to liturgical-centered Eastern Orthodox leaders hailed the move. Some liberal wings opposed it as tending toward creedalism.

VOTE 383 TO 36

But after nearly two hours debate it swept through the council's General Assembly by a 383-36 vote, followed by applause and a prayer.

The action revised the council's constitution and set this criteria for belonging to it: "The World Council of Churches is a fellowship of churches which confess the Lord Jesus Christ as God and Savior according to the Scriptures and therefore seeks to fulfill together their common calling to the glory of the one God, Father, Son and Holy Spirit."

Previously the council had required only that members "accept Our Lord Jesus Christ as God and Savior."

SCRIPTURE AS RULE

The new standard sets Scripture as the rule and includes belief in the triune nature of God, the ancient doctrine to explain Christ's divinity in relation to God's oneness.

Council leaders said the new basis only makes explicit what previously was implied.

However, Dr. E. Raymond Wolson, a Washington, D.C., Quaker, said it involved fixing a creed "to some extent" and called it "more exclusive rather than inclusive, more divisive rather than unifying."

On the other hand a veteran Lutheran leader, the Rev. Dr. P. O. Bersell of Minneapolis, Minn., praised the change as a momentous advance and said it put the council on a stronger Biblical footing.

'BASIS OF FELLOWSHIP'

He said false accusations have been made that the council is "in league with communism" and added that the only reply now needed is "to point to the basis of our fellowship."

The council includes 198 denominations of nearly every sort varying from Pentecostals and Mennonites to traditionalist non-Roman Catholics and ancient ceremonial Copts.

In his first floor speech, Russian Orthodox Archbishop Nicodim, head of a 16-man delegation from the church of the Soviet Union, applauded the new basis.

RUSSIAN SPEAKER

"We all believe in Our Lord Jesus Christ on the basis of the Holy Gospel," he said. "In his Gospel the Lord Jesus, as he sent out his disciples to preach, commended them all to baptize in the name of the Father, Son and Holy Ghost. So acceptance of the new basis, with its trinitarian formula, is grounded in the Gospel and corresponds exactly with the common faith which we have here together."

Vigorous applause followed.

Several Roman Catholic leaders as well as conservative Protestant groups, including some not in the council, had voiced approval of the change. The Vatican has five observers on hand here.

Justice Dept. Seeks To Enforce La. Desegregation Orders; Judge In Fla. Orders School Bias End

Atlanta Daily World
Atlanta, Ga.

SCATTERED LA. TOWNS DESEGREGATION TARGET

Sat. 3-18-61 pf

WASHINGTON (UPI)—The Justice Department moved Friday to become an active partner of the courts in enforcing school desegregation orders in widely scattered towns in Louisiana.

Atty. Gen. Robert F. Kennedy announced that the department has asked and received court permission to participate in four Louisiana desegregation cases outside of New Orleans.

At the same time, the department asked the federal district court at New Orleans for an injunction against enforcement of two anti-integration statutes passed by the Louisiana Legislature earlier this year.

14d(1)

In Tallahassee, a federal district judge Friday ordered an end to racial discrimination in the assignment of pupils to schools in Escambia County, heavily-populated industrial and military center in extreme northwest Florida.

Judge Harrold Carswell gave the county school board 90 days in which to submit to the court a plan that would permit gradual desegregation of public schools. Pensacola is the only large city in the county.

It was the first ruling on school integration in this segregation-conscious area of Florida, although a municipal golf course in Pensacola was integrated several years ago without incident.

Only desegregated school in Florida, outside of military bases, is the Orchard Villa school in Miami which was voluntarily integrated by the school board two years ago. Only two white children are enrolled, along with several hundred Negroes.

Carswell ruled in a suit brought by the NAACP on behalf of 12 Negro children seeking admission to all-white schools and all others similarly situated.

The suit originally sought complete integration of all classrooms and an order prohibiting assigning of teachers on a racially segregated basis. But Carswell ruled selection of teachers on a basis of color cannot be challenged in a suit seeking desegregation of classrooms and struck that part of the suit last year.

The jurist ruled that the school board now is assigning pupils on a basis of race or color is violation of the U. S. Supreme Court's 1954 desegregation ruling.

He ordered the board to submit for his consideration a plan that would give Negroes an opportunity to apply for admission or transfer to any school for which they are eligible without regard to race or color and that would insure that their applications would be fairly considered.

School board officials, in defending the suit, admtted that Negro children go to Negro schools and white children to white schools, but denied that racial discrimination was a factor.

The board argued that the Constitution does not require racial integration "but merely forbids discriminaton on account of race."

One of the plaintiffs, Karen Augustus, daughter of Dr. Charles A. Augustus, is seeking admission to all-white Oliver J. Semmes elementary school which is less than a block from the Augustus home.

The Semmes school, named for the father of Pensacola City Manager Oliver J. Seemes, Jr., serves swanky northeast section of Pensacola.

W. D. WORKMAN

Jackson Daily News
Jackson, Miss.
3-31-61

Prefer Mixing To Schooling

Race-mixing, rather than education, is the basic goal behind many school desegregation efforts. This fact has been put clearly on the record by a federal district judge of New York.

Judge Irving R. Kaufman, in ruling against the continuance of a predominantly-Negro school in a Negro section of New Rochelle, throws himself wholeheartedly in bed with the sociologists whose goal is integration, not education. In support of his position, Judge Kaufman gives this interpretation of the Supreme Court's desegregation decision of 1954:

"Principles long accepted by psychologists and sociologists were given the stature of the law of the land. . . .

"In a community such as New Rochelle, the presence of some 29 white children certainly does not afford the 454 Negro children in the school the educational and social contacts and interaction envisioned by (the Supreme Court decisions)."

The judge dismisses the concept of the neighborhood school as a controlling factor of school attendance. Instead, his stress is on the contention that "the proper development of all children" is based upon "the benefits inherent in an integrated education."

Education per se is given low billing in the Kaufman decision. Integration is the criterion, regardless of a neighborhood's racial complexion.

One interesting fact of the Kaufman decision is its radical departure from the thinking of other federal judges. This is especially true with reference to the three judges charged with implementing the decision of the original Brown vs. Board of Education of Topeka case, which Judge Kaufman leans upon selectively. When that case went back to the District Court in Kansas, one of the issues involved was whether or not commingling of the races was required in the schools regardless of residential patterns. Here is what that three-judge court said:

LOCAL RULE UPHELD

"Desegregation does not mean that there must be intermingling of the races in all school districts. It means only that they may not be prevented from intermingling or going to school together because of race or color. If it is a fact. . .that the district is inhabited entirely by colored students, no violation of any constitutional right results because they are compelled to attend the school in the district in which they live."

And here is a pertinent and widely-quoted excerpt from another three-judge court, which handled the South Carolina case (one of the original Supreme Court cases) on remand:

"It (the Supreme Court) has not decided that the federal courts are to take over or regulate the public schools of the states. It has not decided that the states must mix persons of different races in the schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a state may not deny to any person on account of race the right to attend any school that it maintains. . .

"The Constitution, in other words, does not require integration. It merely forbids discrimination."

Judge Kaufman diverges sharply from the reasoning of his federal colleagues in the Kansas and the South Carolina cases. He thus aligns himself with the integration-above-all point of view advanced by the American Jewish Congress, in a pamphlet entitled, "Children, Together." This pamphlet says:

"It is the purpose of education in a democracy to provide a child with the opportunity to associate freely with children of diverse backgrounds and to permit him goals and aspirations not limited to those provided by his own sociocultural environment. . .School boards should avoid selecting school sites that are located in racially homogeneous areas. In selecting school sites, an effort should be made to locate new schools in 'fringe areas,' that is, in areas that have a mixed racial composition or are within easy reach of several racial o rethnic groups."

EDUCATIONAL QUESTION

Since the question of law seems now to have been subordinated to sociology in the New Rochelle case, it may be fitting to give this explanation by a Columbia University spokesman of the exodus of faculty children from public schools in that neighborhood: The question to be settled by "University faculty members the residents of New Rochelle set high educational standards for assuming that Judge Kaufman will their children, as you would ex-allow them any voice in the matpect. The problem for them has ter — is whether they shall enbeen caused by the students not been caused by the socio-economic phasize integration or education. being Negroes or Puerto Ricans but by the socio-economic composition of the group and what this means in practical terms for the educational process."

Texas Town OKs Voluntarily Mixing

The Afro-American
Baltimore, Md.

Ky. County avoids federal mix order

Sat. 4-15-61 P. 16

Texas last week maintained its lead in voluntary school desegregation when citizens of Lockney voted 333 to 108 to integrate. About 30 local colored children will attend local schools instead of traveling to jimcrow schools some distance away.

Leading to the decision was the announcement that education costs for the students would be increased about $25 per student per year. This would have necessitated a raise in taxes.

Rather than pay higher taxes, local residents voted to desegregate schools from the eighth grade up. Pupils below that level will attend segregated schools.

Several Texas towns preceded Lockney by many years in desegregating their schools. The costs of dual school systems were usually given as the reason then.

* * *

KNOX COUNTY, Ky. will desegregate its high schools in the fall. Colored pupils from the ninth through the 12th grades will attend the high schools in their districts. Elementary schools will still be segregated.

The Flat Lick Elementary School, however, has been integrated for some time. The Knox County decision, was made in anticipation of a federal court order on a suit now pending.

When Judge H. Church Ford opened the case, he was handed a copy of the school board's resolution. The judge accepted it and indicated he would expect speedy elementary school desegregation also.

* * *

SOME 185 colored pupils in Arlington, Va. have applied for admission to other than jim crow schools. Some 81 have already been assigned and action is expected soon on the others.

Arlington already had 44 colored pupils in six formerly all-white schools. Since then, pupils have been assigned to schools on a geographical basis.

* * *

IN LITTLE ROCK, attorneys said that colored children in the Dollarway school district have to pass three tests in order to attend the Dollarway School.

Any colored pupil will have to be taken to the school board by his parents, score a high mark on various tests and pass the pupil assignment test.

The Eighth United States Circuit Court of Appeals reversed a lower court ruling that the plan was valid. The court said.:

"The procedures heretofore outlined in making initial assignments were clearly in violation of the constitutional rights of plaintiffs and we so rule."

The court also said the assignment process had been sep up "for the purpose of impeding, thwarting and frustrating integration."

MEANWHILE, E. A. Lauderdale Sr., a Little Rock segregation leader, entered Cummins State Prison Farm to start his three-year sentence.

He was convicted of masterminding a plot resulting in Labor Day, 1959 bombings of the Little Rock School Board office, Mayor Werner C. Knoop's office and Fire Chief Gann Nalley's automobile.

IN ANSWER TO a school desegregation suit, Birmingham, Ala. officials said that state law did not require them to integrate.

In New Orleans, some 10 white children now attend classes along with one colored first-grader. At McDonough No. 19 School, white parents are still observing a boycott. They are sending their children to schools in nearby St. Bernard Parish.

Two colored pupils applied last week for enrollment in two Falls Church, Va. schools. The area is a Washington, D.C. suburb. The 26 colored pupils there are sent to nearby Fairfax County schools.

* * *

MANHATTAN BOROUGH President Edward Dudley ordered a probe into the complaint that home economics equipment at George Washington High School was not being used while other schools were underequipped.

South Told to Keep Schools

The Christian Science Monitor
14 d 41 general
Boston, Mass.
P. 1
Date 4-11-61

By Bicknell Eubanks

Staff Correspondent of The Christian Science Monitor

Dallas

As federal pressure for increased school desegregation comes from courts and the executive department, there are further indications that even in the Deep South the alternatives are coming under a more searching consideration by education and political leaders.

A recent statement by a Mississippi education official has roused attention in those parts of the Old South which still have not felt the pressure of desegregation moves, but which see the day coming closer when the problem will be on them in full force.

J. M. Tubb, Superintendent of Education for Mississippi, made the statement in a talk to a meeting of the Mississippi Education Association, made up of white educators.

Closing Opposed

Mr. Tubb's view was expressed against the background of recently enacted laws authorizing the Governor or local school boards to abolish public schools as a last resort to prevent desegregation. He told the representatives of the 12,000-member association that such action "would be to close the door of hope for many ambitious youths in this state."

As an elected state official, Mr. Tubbs not only is a top leader in Mississippi education but he also is involved to some extent in his state's politics. He has held his present office for several terms.

"The fate of the great public school system founded 91 years ago perhaps hangs in the balance in the months ahead," he warned.

"In Mississippi, a dual segregated program of education has been operated for all the children. It is the belief of an overwhelming majority of our people that this type program, considering the background and traditions of our people, is the best for us.

"If, however, this system of operation is challenged, the solution must be found through the efforts of dedicated leaders who put the welfare of the children and the future of our state and nation above everything else."

Mr. Tubb cautioned his fellow Mississippians that closing the [schools] "would bring to a halt the wheels of industry on the [farms] of our state and destroy the dreams we have had for a great state whose economy would be based upon agriculture and a great industry."

As for private schools, Mr. Tubb said that such a system "simply would not work. Think of all the experience which would be lost if our public schools are closed." He noted that other states "have tried and failed with school-closing attempts."

Racial Harmony Urged

A leader among Negro educators in Mississippi has called on both races to work together on the problems. L. S. Alexander, executive secretary of the Mississippi Teachers Association, a Negro group, said that "to close the schools would penalize the innocent. Closing the schools would be to punish children who had no part whatsoever in the problem."

While the Department of Justice under the new Attorney General, Robert F. Kennedy, has not let up in its policy of protecting the civil rights of all groups, Mr. Kennedy is seeking to establish a closer liaison with top officials in Southern states, according to these state leaders.

14d(1) 1961 GENERAL

Dixie In Last Ditch

Jackson Daily News Jackson, Miss.

Segregation Stands

Sen. 2-12-61. P. 4.

Louisiana Legislature Is Next To Face Issue

EDITOR'S NOTE: The Louisiana legislature has been ordered into special session Wednesday to consider the local option approach to school desegregation. This long last-ditch strategy for a South that was confronted with the Supreme Court's 1954 school desegregation decision began in 1955 in Virginia and North Carolina. It has spread through a number of other Dixie states. Here is a background dispatch on the subject.

General

By AL KUETTNER
United Press International

ATLANTA (UPI) — In the months following the 1954 Supreme Court school decision, North Carolina Gov. Luther H. Hodges—now secretary of commerce—picked a select advisory committee on education to devise a school racial "plan" for that state.

The group was headed by a rural county legislator, Sen. Thomas H. Pearsall. After months of study, the committee recommended to the legislature and won passage of what quickly became known as the "Pearsall Plan."

FIRST OF BIG PLANS

This was the first of the sweeping school plans to be adopted in the South and it has subsequently become the basic fabric of school laws in many Dixie states.

Virginia actually came up with the first program designed to comply with the Supreme Court school decision without letting down the floodgates to total integration. But the Virginia Plan, brought in by a commission headed by Sen. Garland Gray, was turned down cold by the General Assembly.

Virginia later returned to almost the same program when in the face of federal court orders that threatened to close every public school in the state unless desegregation was permitted.

The Pearsall Plan, largely identical to the Gray Report, provided:

"Authority for the General Assembly to provide from public funds financial grants to be paid toward the education of any child assigned against the wishes of his parents to a school in which the races are mixed—such grants to be available for education only in non-parochial schools and only when such child cannot be conveniently assigned to a non-mixed public school.

AUTHORITY GIVEN

"Authority for any local unit created .pursuant to law and under conditions to be prescribed by the General Assembly, to suspend by majority vote the operation of the public schools in that unit, not-withstanding provisions for public schools.

Under the Pearsall Plan, North Carolina admitted its first Negroes to public white schools.

There have been variations—notably the stairstep idea of starting desegregation grade at a time and the "freedom of choice" tag in Virginia—but the states have turned basically to the Pearsall-Gray idea of local option and private grants.

To school and legal authorities, the overriding significance of the two plans is that they were upheld on their face by the federal courts, whereas other schemes to ward off integration were being turned down almost routinely.

When Georgia was faced with court orders to desegregate Atlanta schools, representatives of a legislature-appointed school study committee visited both North Carolina and Virginia to find out just how the parent plans were working out.

The Atlanta school board also relied heavily on Pearsall and Gray in drawing up its plan, which was approved by a federal district court, for desegregating schools.

This year the Georgia legislature followed almost in Virginia's footsteps in its manner of abandoning massive resistance to integration. In 10 historic days, the legislature swept aside segregation laws and adopted a program of local option, grants for private education and "freedom of choice."

LOUISIANA STEPS

Louisiana goes into its fifth special legislative session in an effort to draft new school racial laws to replace strict segregation statutes. The basic new proposal is local option. Under such a law, New Orleans—whose schools are now desegregated under federal court orders—could decide .for itself whether to keep schools open or close them.

Other desegregation "plans" include:

Louisville—The city was re-districted in 1956 without regard to race and students were assigned to the nearest school.

Nashville—First to adopt a "stairstep" plan. It began in the first grade in 1957 and is now up to the fourth grade.

Washington, D. C. Separate school systems for whites and Negroes abandoned after 1954 decision and students began attending nearest schools.

San Antonio, Tex. — In 1955 the 1st, 2nd, 7th and 10th grades were desegrated.

North Carolina, Virginia Pace Desegregation Plans

The Commercial Appeal Memphis, Tenn.

By United Press International

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2-13-61 P. 12

Virginia Plan Rejected

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SAN ANTONIO—In 1955 the first, second, seventh and 10th grades were desegregated.

Suggests Business Ethics Code

Washington D.C. Post

President Refers To Big-Firm Fines At News Session

Sept. 7-56

By Edward T. Folliard
Staff Reporter

President Kennedy yesterday threw his moral influence and the prestige of his office behind the Supreme Court's 1954 decision outlawing racial segregation in the public schools.

"On the general question," he said, "there is no doubt in my view. Students should be permitted to attend schools in accordance with court decisions."

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Former President Eisenhower would never say whether he thought the Supreme Court's school ruling was right or wrong, good or bad. At a news conference on Sept. 5, 1956, he said it made "no difference whether or not I endorse it," and added that his duty was simply to see that Americans obeyed the Constitution as the Court interpreted i.

1-15-A

Mr. Kennedy spoke out yesterday at his third news conference, after he had been asked what he planned to say

or do to help New Orleans white families who want to send their children to schools with Negro children "but are afraid to do so."

"I will attempt to use the moral authority or position of influence of the Presidency in New Orleans and in other places," he said. "I wanted to make sure that whatever I do or say does have some beneficial effect, and, therefore, it is a matter which we are considering."

Pressed by a reporter to say something about the current situation in New Orleans, the Chief Executive said that all students in the Louisiana metropolis should be given the opportunity to attend public schools "regardless of their race."

"That is in accordance with the Constitution," he said. "It is in accordance, in my opinion, with the judgment of the people of the United States. So there is no question about that."

Wait For Analysis

He said that on the specific question of what can be done in New Orleans to provide a more harmonious acquiescence with the Federal court's decision, he felt it would be best to wait until he and his lieutenants have concluded an analysis of the situation there.

Mr. Kennedy also had something to say about "unmoral practices in the American business community." This came up at the news conference as the result of what happened this week in a Federal court in Philadelphia, when seven executives of electrical supply firms were given 30-day jail sentences for rigging bids.

"I hope," the President said, "that the business community itself will consider what steps it could take in order to lifit this shadow from its shoulder."

In reply to a question, he said he thought business might well emulate trade union and adopt a code of ethical practices, and added:

"I think it would be very beneficial if business groups today would consider what they could do to protect themselves from charges of conflicts of interest of the kind that we have recently seen, and also of the effort made by these large electrical companies to defraud the Government . . ."

In talking about conflicts of interest in the business community, the President appeared to have in mind the cases of William C. Newberg and Carroll M. Shanks.

Newberg, former president of the Chrysler Corporation, was forced to resign last year after it became known that he owned an interest in two dirms that sold supplies to Chrysler. He handed back $450,000 in profits he had realized from these firms but has since sued Chrysler to get his money back.

Shanks, president of the Prudential Insurance Co., resigned after disclosure of his sale of a timberland to the subsidiary of a firm in which he was a director. This deal was set up to save Shanks an estimated $400,000 in income taxes.

Already Has Code

John W. McGovern, president of the National Association of Manufacturers, said yesterday that his organization already had a code of ethics.

"This code of ethics," he said, "was unanimously adopted by NAM members, and I honestly hope that all will live up to it."

Arthur W. (Red) Motley, publisher of Parade and president of the United States Chamber of Commerce, said his organization also had a code.

"I've seen it," he said. "It's a good deal like the original Ten Commandments. I do believe that it is important for somebody to sit down and put down in writing a code of ethics."

Two courses seen open to U. S. to foster compliance with disegregation order in New Orleans. Page A10.

President delays decision on possible tax cut until April. Page A10.

President and advisers hold White House session on Laos. Page A16.

Germany has failed to meet "problem or opportunity" of sharing NATO defense costs, President Kennedy says. Page A11.

Text of news conference. Page A14.

President Kennedy orders Federal center for child health at NIH. Page B1.

Motley was reminded that violators of labor's code, the Teamsters and other unions, had been expelled. What, he was asked, was the Chamber of Commerce going to do about the electrical firms convicted of defrauding the Government?

"We are not going to read any of these corporations out of the Chamber any more than the church reads an erring member out af the congregation," he said.

Opposed Special Office

Gettiig back to yesterday's presidential new conference, Mr. Kennedy indicated that he was opposed to setting up a specail office in the White House to oversee Federalregulatory agencies. Such an office was suggested by JamesLadis, who was appointed by the President to make a study of the agencies.

Mr. Kennedy said that he had asked Ladis to come to the White House to talk to members of Congress who are concerned about improving the agencies.

He said that Congress bears special responsibility for the agencies, and therefore it was not likely that the major responsibility in this area would be shifted to the White House.

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No Federal Control Except In The South

PRESIDENT KENNEDY'S omnibus school bill is complex in its particulars but simple in overall effect. If it or anything similar to it is adopted, school aid will be a permanent federal function, for good or ill.

The dispute over federal assistance to parochial schools (which President Kennedy opposes) may be more passionate than the segregation question, but the latter has graver implications for the South.

Harlem Congressman Adam Clayton Powell has made the choice for Southern congressmen simple when previous school bills have been introduded. His dog-eared "Powell Amendment" would simply ban all government assistance to segregated schools. This, coupled with the traditional economic conservatism of Southern congressmen, left little to ponder.

But this year, according to Earl Mazo in *The New York Herald Tribune,* a little trick has been worked out. Powell will offer his amendment as is his custom. Then, Mazo says, while the bill is before a Senate-House committee working to reconcile differences between the different versions of the bill passed by both houses, "President Kennedy would issue an executive order forbidding federal aid to school districts . . . in 'open defiance' of court orders to integrate."

Powell would then make a grand gesture of compromising in the interest of saving the schools and withdraw his amendment, which would not be needed because of the executive order.

★

THE executive order, we gather, would be deliberately vague about what constitutes "open defiance." Simple failure to order race-mixing? Disregard of petitions to admit Negroes to white schools, as have already been received here? Court fights to avoid mixing injunctions? Reluctance to speed up the process, as is now under attack in some "token integration" areas? Or what?

It could mean anything. President Kennedy has promised to use the "moral weight" of his office to effect race-mixing. That might not prove so deadly a barrage as he supposes. But the threat of the massive retaliation of a funds cutoff would be something else in a region which stands to get a proportionately large share of the funds.

Southern schools are generally in greater need of assistance than those in any section of the country. Southern congressmen have undoubtedly sensed that exasperated teachers, many legislators and parents are ready to turn their problems over to Washington. The temptation is thus strong to swallow hard and hope for the best.

But if the Powell-to-Kennedy play is as Mazo predicts, the spring guns will be cocked. To the already tremendous pressure of the judiciary will be added the considerable influence—if not downright extortion—of the U.S. Treasury. Southerners could always assert their independence and refuse to be bought, but they would still pay their share for federal aid to schools in other sections.

It's a hard choice. Southern schools, more than those of any other region, need the kind of massive doles that, in the opinion of some authorities, only the federal government can provide. But the abdication of responsibility to Washington is risky, doubly so for a region trying to pick its way through a great social program while faced with the vast economic demands of education.

★

SECRETARY Abraham Ribicoff of Health, Education & Welfare, has said desegregation and educational needs should be solved separately and, further, that the Administration is opposed to *all* forms of federal control of education.

Unfortunately, it's not that simple. If an exception can be made to Kennedy confirmed, before a news conference last week, that he is considering what to do about segregated schools under the Administration's program: "As to whether we should the "no federal control" promise before the bill is passed, it seems reby executive order withhold funds for all that we're not going to have federal control of education.

Nobody, so far as I know, wants federal control of education [he told the National Education Association last week]. Nobody, as far as I know, seeks it. You and I don't want it. The states don't want it. The Congress doesn't want it. Clearly, the President doesn't want it. So let's agree once and for all that we're not going to have federal control of education.

School Allotment Estimates

The Times-Picayune p. 3

WASHINGTON (AP)—Here are the estimated allotments to the states for classroom construction and/or teachers' salaries under the education recommendations sent to Congress today by President Kennedy. (The figures are for fiscal year 1962, beginning next July 1, and for fiscal years 1963 and 1964):

New Orleans, La. Dec. 2-31-61

14 d (1)

General

	Fiscal Year 1962		Fiscal Year 1963		Fiscal Year 1964	
	Amount per state	Amount per pupil in avg. attendance in public schools	Amount per state	Amount per pupil in avg. attendance in public schools	Amount per state	Amount per pupil in avg. attendance in public schools
Fifty states, D. C., Guam, P. R. and V. I.	$666,000,000	$19.75	$766,000,000	$22.04	$866,000,000	$24.22
Alabama	19,691,692	27.27	22,583,245	31.06	25,327,454	34.65
Alaska	555,000	15.00	645,000	15.00	750,000	15.00
Arizona	6,260,276	22.60	7,619,234	25.74	9,043,884	28.71
Arkansas	10,538,844	28.18	11,874,871	32.09	13,101,790	35.80
California	52,733,321	16.82	64,313,909	19.16	76,414,133	21.37
Colorado	7,157,176	19.83	8,603,311	22.58	10,074,516	25.19
Connecticut	6,600,000	15.00	6,960,000	15.00	7,305,000	15.00
Delaware	1,155,000	15.00	1,215,000	15.00	1,290,000	15.00
Florida	19,120,968	20.65	23,494,752	23.52	28,120,464	26.23
Georgia	22,014,247	26.05	25,488,608	29.67	28,859,731	33.10
Hawaii	3,121,256	22.95	3,711,812	26.14	4,285,832	29.16
Idaho	3,760,723	24.91	4,339,997	28.37	4,872,393	31.64
Illinois	23,310,000	15.00	24,060,000	15.00	24,780,000	15.00
Indiana	16,956,529	18.51	19,671,096	21.08	22,317,020	23.52
Iowa	11,280,457	21.20	13,016,980	24.15	14,680,475	26.94
Kansas	9,445,918	21.97	11,033,685	25.02	12,613,723	27.91
Kentucky	14,583,887	24.97	16,638,833	28.44	18,558,615	31.72
Louisiana	15,034,329	23.56	17,525,995	26.84	19,997,176	29.94
Maine	4,125,926	22.30	4,750,050	25.40	5,326,446	28.33
Maryland	8,976,670	16.09	10,773,691	18.32	12,629,855	20.44
Massachusetts	11,790,000	15.00	12,090,000	15.00	13,273,515	16.09
Michigan	27,070,253	17.67	32,079,528	20.13	37,150,155	22.45
Minnesota	13,062,937	20.28	15,270,830	23.10	17,445,053	25.77
Mississippi	14,687,634	29.67	16,255,415	33.80	17,565,544	37.69
Missouri	12,246,808	17.03	14,064,931	19.40	15,795,929	21.64
Montana	2,919,012	20.85	3,419,626	23.75	3,920,101	26.49
Nebraska	5,321,259	20.00	6,129,038	22.78	6,912,416	25.41
Nevada	952,274	15.87	1,174,979	18.08	1,411,359	20.16
New Hampshire	1,734,218	17.70	2,035,633	20.15	2,337,963	22.48
New Jersey	14,400,000	15.00	14,985,000	15.00	15,555,000	15.00
New Mexico	5,275,194	24.88	6,263,277	28.34	7,302,037	31.61
New York	37,650,000	15.00	38,715,000	15.00	39,735,000	15.00
North Carolina	27,905,485	27.25	32,093,440	31.04	36,142,562	34.62
North Dakota	3,100,067	24.60	3,558,869	28.02	3,969,490	31.26
Ohio	28,735,988	16.30	33,879,936	18.56	39,031,368	20.71
Oklahoma	11,951,838	24.39	13,723,715	27.78	15,400,110	30.99
Oregon	7,095,843	20.10	8,356,592	22.89	9,601,681	25.54
Pennsylvania	26,880,000	15.00	30,986,280	17.06	34,942,097	19.03
Rhode Island	1,800,000	15.00	1,845,000	15.00	1,974,787	15.67
South Carolina	15,228,456	28.25	17,537,616	32.18	19,776,441	35.89
South Dakota	3,262,057	23.81	3,796,681	27.12	4,295,246	30.25
Tennessee	19,542,885	26.13	22,526,242	29.76	25,390,845	33.19
Texas	40,262,707	21.40	47,368,850	24.38	54,438,623	27.19
Utah	5,778,627	25.34	6,725,922	28.87	7,662,943	32.20
Vermont	1,459,990	21.16	1,638,770	24.10	1,827,851	26.88
Virginia	17,846,093	22.88	20,821,009	26.06	23,746,498	29.07
Washington	11,408,373	19.67	13,486,454	22.40	15,567,392	24.99
West Virginia	10,658,865	25.56	12,110,817	29.11	13,443,253	32.47
Wisconsin	11,615,012	17.63	13,630,448	20.07	15,650,932	22.39
Wyoming	1,541,357	21.11	1,803,631	24.05	2,065,380	26.82
District of Columbia	1,541,357	21.11	1,620,000	15.00	1,635,000	15.00
Guam	363,080	27.93	445,341	31.81	567,685	35.48
Puerto Rico	14,243,895	27.93	17,050,201	31.81	19,904,454	35.48
Virgin Islands	167,575	27.93	190,860	31.81	212,882	35.48

Scholarships, Fund Totals

WASHINGTON (AP)—Here are the estimated number of scholarships and the amount of money that would be allocated to the states for them under the education recommendations sent to Congress today by President Kennedy:

	FISCAL YEAR 1962		FISCAL YEAR 1966	
	Total Scholarships (A)	Amount	Total Scholarships (A, B)	Amount
Aggregate U. S.	25,000	$17,500,000	187,500	$131,250,000
50 States and D. C. ..	24,750	17,325,000	185,625	129,937,500
Alabama	519	363,300	3,889	2,722,300
Alaska	15	10,500	111	77,700
Arizona	160	112,000	1,197	837,900
Arkansas	306	214,200	2,292	1,604,400
California	1,898	1,328,600	14,237	9,965,900
Colorado	234	163,800	1,754	1,227,800
Connecticut	316	221,200	2,367	1,656,900
Delaware	56	39,200	418	292,600
Florida	543	380,100	4,074	2,851,800
Georgia	552	386,400	4,139	2,897,300
Hawaii	109	76,300	817	571,900
Idaho	116	81,200	872	610,400
Illinois	1,332	932,400	9,996	6,997,200
Indiana	681	476,700	5,105	3,573,500
Iowa	419	314,300	3,369	2,358,300
Kansas	328	229,600	2,460	1,722,000
Kentucky	548	320,600	3,434	2,403,800
Louisiana	462	323,400	3,462	2,423,400
Maine	141	98,700	1,058	740,600
Maryland	387	270,900	2,905	2,033,500
Massachusetts	688	481,600	5,160	3,612,000
Michigan	1,124	786,800	8,437	5,905,900
Minnesota	551	385,700	4,130	2,891,000
Mississippi	345	241,500	2,589	1,812,300
Missouri	590	413,000	4,427	3,098,900
Montana	109	76,300	817	571,900
Nebraska	219	153,300	1,643	1,150,100
Nevada	33	23,100	251	175,700
New Hampshire	88	61,600	659	461,300
New Jersey	717	501,900	5,374	3,761,800
New Mexico	131	91,700	984	688,800
New York	2,035	1,424,500	15,268	10,687,600
North Carolina	715	500,500	5,365	3,755,500
North Dakota	109	76,300	817	571,900
Ohio	1,329	930,300	9,968	6,977,600
Oklahoma	390	273,000	2,924	2,046,800
Oregon	270	189,000	2,023	1,416,100
Pennsylvania	1,631	1,141,700	12,233	8,563,100
Rhode Island	116	81,200	872	610,400
South Carolina	369	258,300	2,766	1,936,200
South Dakota	111	77,700	835	584,500
Tennessee	531	371,700	3,982	2,787,400
Texas	1,268	887,600	9,513	6,659,100
Utah	150	105,000	1,123	786,100
Vermont	66	46,200	492	344,400
Virginia	522	365,400	3,917	2,741,900
Washington	405	283,500	3,035	2,124,500
West Virginia	337	235,900	2,524	1,766,800
Wisconsin	608	425,600	4,557	3,189,900
Wyoming	52	36,400	390	273,000
Dist. of Col	79	55,300	594	415,800
Canal Zone .....)				
Guam .....)				
Puerto Rico .....)	250	175,000	1,875	1,312,500
Virgin Islands .....)				

Note: The allocation to each state is estimated on the basis of 1957-58 high school graduates and 1958 population aged 14 to 18.

(A) Based on the assumption that the amount per scholarship in each state will average $700.

(B) Consists of the total new scholarships to be made available for fiscal years 1964-1965-1966.

Harried Educators Face Growing Problem as Rapid Rise in Enrollment Continues

SCHOOLS LACKING 135,000 TEACHERS

The N.Y. Times

44,670,000 Students Were Listed in 1960—Taxes Are Still Increasing

New York, N.Y.

By LEONARD BUDER

A West Coast school principal, checking the morning attendance reports from his teachers, last fall came across this frantic appeal:

"Help! They're all here!"

The harried teacher probably expressed the sentiments of a great many educators and others as school enrollment last year soared to another record—a record that will undoubtedly last only until next fall's count is taken.

Total enrollment, from kindergarten through college, public and private, reached 44,670,000, compared with 42,970,000 in 1959. Public school enrollment accounted for 1,206,347 of the increase, but the biggest proportionate gain was recorded by parochial and private schools.

But impressive as these figures are—the public schools alone recorded a 45 per cent enrollment increase in the last ten years—even greater numbers of pupils are yet to come. The United States Office of Education estimates that by 1969-70 54,000,000 children will be attending public and private schools in the nation, assuming a continuation of the 1955-57 birth rates.

In higher education, college and university enrollment last fall reached 3,980,000, a gain of 230,000 over 1959. By 1970-71, the Federal office estimates that the total will be 6,676,000.

The mounting enrollment also brought with it mounting problems—the need for more teachers, more school facilities, more services and, above all, more money to pay for them.

The public schools last year were short an estimated total of 135,000 qualified teachers. Because of the lack, schools were compelled to employ approximately 94,000 emergency teachers—that is, teachers who held substandard or temporary licenses.

"The mere number of teachers with emergency credentials"—a ration of one of every fourteen public school teachers in the nation—"understates the broader problem of the teacher shortage," the National Education Association recently commented. "It does not show the number of unfilled positions, the number teaching in fields for which they are not fully prepared, nor the number of teachers needed to reduce class size and teacher work load. Neither does it show the numbers needed to expand services such as counseling, libraries and testing."

Unable to house the rising enrollment, many school systems were forced to go on double or triple sessions or to reduce the length of the school day. Ironically, these developments came at a time when some school systems—recognizing the need for expanding educational opportunities—lengthened their school days.

The problems of the public schools were also felt by nonpublic schools, and by institutions of higher education. Colleges and universities, mindful of the surge of students yet to come, worried about where they would get the teachers and the buildings to accommodate the students who will be seeking admission.

A number of institutions embarked on fund-raising and development programs intended to provide largely for the capital needs—but the matter of obatining qualified instructors presented a more difficult problem.

Reflecting the increased operating costs in higher education, including the need to boost admittedly inadequate faculty salaries, many institutions raised their tuition fees last year—causing concern in some cricles that the private colleges may be eventually pricing themselves out of students. Similar tuition increases also went into effect at many private elementary and secondary schools.

Public school expenditures last year totaled $16,476,135,000, an increase of nearly 8 per cent over 1959-60. Of the total, $12,929,564,000 was for current or operating expenses, $3,094,621,000 for capital outlay and $451,950,000 for interest costs.

The biggest share of public school revenue—$8,320,140,000—came from local sources. State revenue sources provided another $5,931,466,000, and Federal revenue added $527,366,000. The remaining school funds came from nonrevenue receipts.

The growing burden on the local taxpayer—particularly the property owner—continued to be a matter of increasing concern to school finance experts. But despite the mounting pressures, local voters in the first ten months of last year approved a record number of school bond issues, at the cost of higher tax rates in most instances.

Federal Aid Bills

Last year was marked by a milestone in the long struggle for Federal aid to school construction. For the first time both the Senate and the House of Representatives passed Federal aid measures, the Senate providing grants for both school construction and teachers' salaries and the House limiting the aid to construction.

The two bills were so different that a conference between the House and Senate was necessary to bring about a compromise. But after considerable dissension and parliamentary wrangling, the measure died in the House Rules Committee.

Concern for quantity did not obscure concern for quality in education last year. If anything, the increased efforts to improve school and college programs provided the year's most significant developments. Across the nation the emphasis was on curriculum reform through the introduction of new programs, intended to meet contemporary and future needs, and modern teaching methods.

Traditional courses of study in the physical sciences were streamlined and up-dated and similar moves were under way in other academic fields. English, for one, emerged as an area of major concern.

One engineering executive, expressing a frequently held complaint, asserted that colleges were graduating students who had the ability to send man into space but who could not write proper English. The College Entrance Examination Board, concerned about the English ability of incoming college students, launched a nation-wide campaign to upgrade high school English programs.

Standards Pushed Up

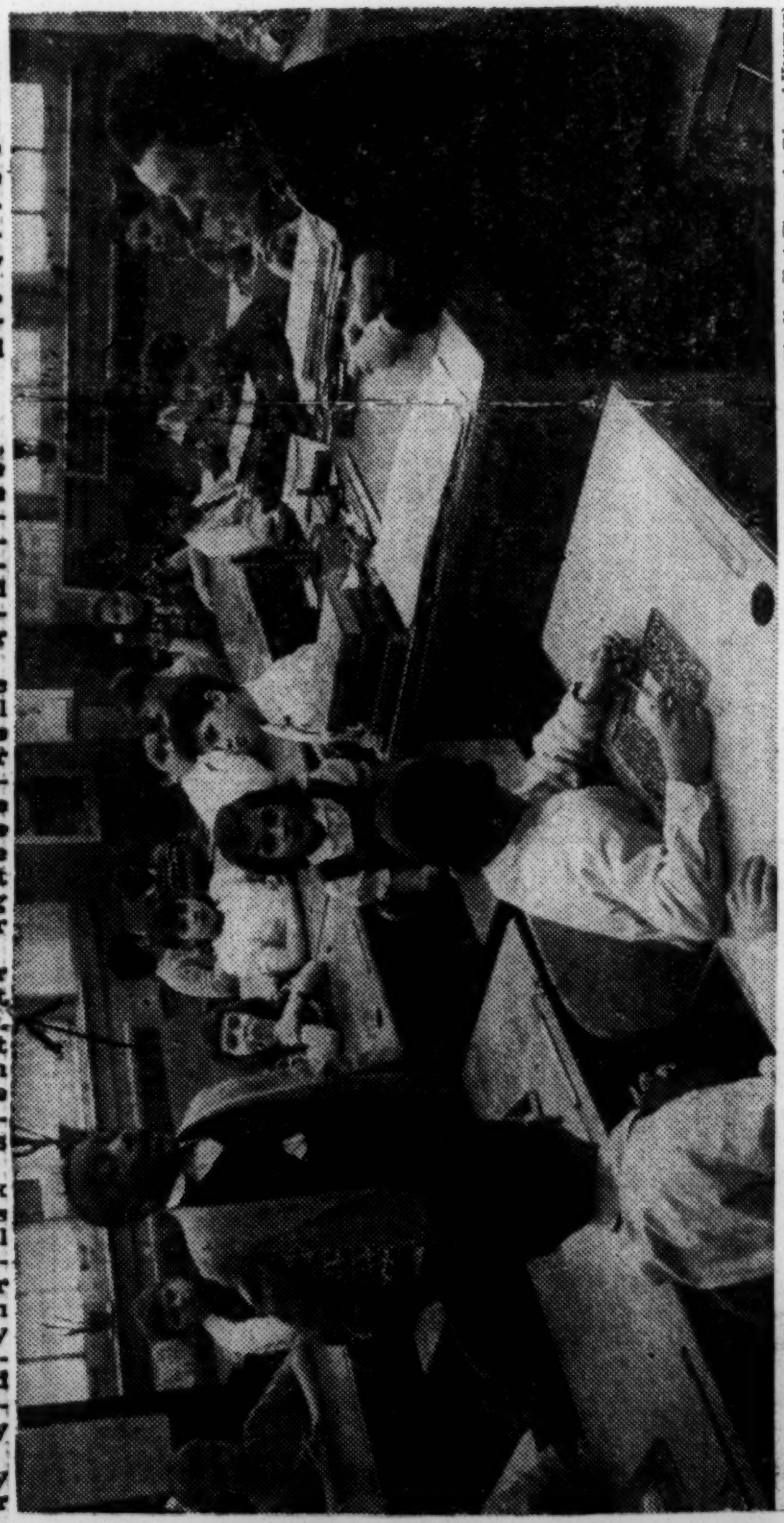
Despite the teacher shortage, efforts were made to raise the standards of new teachers. The New York State Education Department, for example, announced new and tougher standards for secondary teachers, and this year will study certification requirement changes for elementary teachers.

Perhaps the most dramatic invasion of the educational scene was perpetrated by the teaching machines and other electronic instructional aids, including television. While some educators still looked askance at the coming of the machine age in education, others said it would lead to faster learning and better utilization of teacher talent.

Plans were made last year for the start of the Midwest Program on Airborne Television Instruction, the nation's most ambitious educational television venture. By means of airborne transmitters, educational telecasts will be beamed to schools in six states.

Much of last year's new look in school facilities, as well as many other vital educational improvements, was made possible by Federal grants under the National Defense Education Act of 1958. In New York City and scores of other school systems, language laboratories and other new facilities were established with funds matched by the Federal Government.

All in all, 1960 was a busy year for education. But busier years are still to come.



The New York Times (by Edward Hausner)

INTRODUCTIONS ARE IN ORDER: A youngster introduces himself to his new teacher and class in a New York school. Higher enrollments and costs from kindergarten through college are education's most serious problems.

Racial Confusion laid to President

the Afro-American

Baltimore, Md.

Race bar end by law is urged

Sat. 1-7-61

P. 3

NEW YORK — Dr. Kenneth B. Clark of the City College of New York, charged President Eisenhower with failing with failing to differentiate between desegregation and integration and thus hindering a solution to the racial problem.

Dr. Clark made the charge before the anthropology section of the American Association for the Advancement of Science.

"The confusion in the mind of the President of the United States is likely to be infintely more damaging than confusion in the minds of the general public," he declared.

Desegregation, Dr. Clark said, is an objective social, legal and political process by which racial barriers to enjoyment of full equal civil rights are removed.

He defined integration as a subjective individual process involving attitudinal changes "and the removal of fears, hatreds, suspicion, stereotypes, superstition and Myths."

"The outgoing President has repeatedly made statements which betray a basic confusion to these two social and psychological processes," Dr. Clark said.

"When he talks about the 'need of time' and that we 'cannot hope to change men's hearts and minds overnight' he demonstrates that he does not really understand the difference between desegregation and integration."

Dr. Clark said that segregation was as damaging for white children as for colored ones.

* * *

SUPPORTING the same viewpoint was Dr. Stella Chess, associate clinical professor of psychiatry at New York Medical College, and a practicing psychoanalyst.

She said desegregation was a prerequisite for producing the changes in attitudes implicit in integration.

Segregation, in effect, hardens and strengthens racial prejudices acquired in childhood, she continued.

The concept of segregation, she held, is the product of long exposure by a large group of persons to a certain set of ideas.

"Only different experience can be the lever to start a meaningful re-examination of segregationist ideas," she said. "If left to gradual change in attitude, the continuing stream of events would reinforce old patterns rather than make new ones emerge."

This brings into serious doubt "the frequently stated justification for delaying and postponing—namely, the reason that, first, people's attitudes must be changed," she said.

"Psychiatric experience would suggest that if a change in the pattern of desegregation is not first developed, then the fixed prejudices may never change because of their continued reinforcement by the life experiences involved in segregation," she continued.

Sees Letup In Action On Schools

Chicago Defender

Chicago, Ill.

1-(7-13)-61

NASHVILLE, Tenn. — (UPI) — Georgia and Louisiana are the only southern states whose Legislatures in January face extensive work in bills dealing with school intergration.

Southern School News reported Sunday the outlook in the other 12 southern and border states shows "the probability of a legislative letup."

In an article by Tom Flake, Associate director of the Southern Education Reporting Service (SERS) the publication said Louisiana and Georgia lawmakers might take action concerning court-ordered integration of schools in Atlanta and New Orleans.

New Orleans currently is engaged in court fights over school integration in two of the city's public schools. Atlanta has been ordered to integrate its schools next fall.

The predicted letup in the legislatures follows a seven-year-period during which lawmakers in the 14 states have passed some 300 laws, resolutions and state constitutional amendments "in efforts to prevent, restrict or control school desegregation."

MEASURES LISTED

Among these "restrictive" measures, the article said, were pupil placement laws, provisions for private schools and for tuition grants, authority to close schools, repel of compulory-attendance laws, and penalties against organizations and individuals who advocate integration.

P. 2

The report said state legislative sessions scheduled for 1961 included those in Delaware, Maryland, Missouri, Oklahoma and West Virginia, border states; in the middle states of Arkansas, North Carolina, Tennessee and Texas, and in five deep south states — Alabama, Florida, Georgia, Louisiana and South Carolina.

Flake said the reasons for the expected slackening in legislative output on the segregation-integration issue differ somewhat by geography.

In border states which have started to develop completely "nonracial school policies," lawmakers "show little inclination now to touch on the subject," the article said.

Further south, Flake reports "It appears to be largely a matter of (1) reliance on existing statutes, at least for the time being, or (2) watchful waiting, to see what happens before making further major moves."

Segregation Weakened In Louisiana, Georgia

The Montgomery Advertiser

Montgomery, Ala.

By United Press International

Two additional chinks appeared this week in what is left of the South's school segregation armor. Georgia scrapped its massive resistance laws and a New Orleans soda fountain clerk enrolled his son in a school which whites have been boycotting since Nov. 17, three days after three Negro girls were admitted.

The 33-year-old clerk, John N. Thompson, formerly of Sylacauga, Ala., ignored the threats local segregationists have made. He said he was prepared to "kill someone" if reprisals against him were taken.

Georgia's retreat from its rigid segregation stand left Alabama, Mississippi and South Carolina the only states in the nation still pledged to keeping race barriers at all cost.

BOOTLE SETS STAGE

A federal judge, W. A. Bootle, set the stage for Georgia's break with tradition.

Bootle ordered the University of Georgia to admit two Negro students, Charlayne Hunter and Hamilton Holmes, and made the ruling stick by invalidating a state segregation law raised in resistance.

The judge's action resulted in a quick reappraisal of Georgia statutes and Gov. Ernest Vandiver personally went before a joint session of the Georgia Legislature to urge adoption of a new code aimed at containing integration, rather than preventing it.

Here's how the South now lines up on the school integration issue:

Alabama — No desegregation in sight. The governor has vowed he will close the schools if the federal government orders race mixing. The University of Alabama is under federal injunction to integrate, but no Negroes have applied since Autherine Lucy was expelled following student rioting.

Mississippi — No integration attempts have been made. The governor and the state Legislature by two-thirds majority of both houses have power to close down the public school system if confronted with integration.

South Carolina—Although no desegregation suits are pending, local laws may be softened. South Carolina presently has laws similar to those wiped off the books in Georgia. A legislative committee now has the state segregation code under study, however, and is expected to make recommendations soon to the General Assembly. Observers believe the study will permit some form of token integration in the near future.

North Carolina—Limited public school integration in a number of cities, mostly large population centers, under the state's 1957 pupil assignment action. The act leaves the question of pupil assignment in the hands of local school boards. Negroes have attended graduate and undergraduate schools of the greater University of North Carolina without incident for a number of years.

FREEDOM OF CHOICE

Virginia — More than 100 Negroes now attending previously segregated schools. The state has a "freedom of choice" plan under which students who do not wis to attend integrated schools can get state tuition to go elsewhere. However, there is still a stalemate in Prince Edward County, where schools closed in September of 1959 to sidestep a federal order to integrate. White students go to private institutions, but 1,600 Negro children have been left without schools.

Tennessee—there has been integration at both the grade school and college levels in Nashville and Knoxville and a college at Memphis has been integrated. Chattanooga presently is under court order to integrate its public school system.

Florida—There has been token public school integration in the Miami area and a few Negroes have been quietly admitted to the University of Florida, mostly at the graduate level. The state has a working pupil assignment law that has not yet been successfully challenged in court.

Lutheran Group Opposes Loans to Church Schools

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, March 17—A Lutheran spokesman testified today that Federal loans for parochial schools might lead to "a fragmentation of American culture along religious lines." Robert E. Van Deusen, representing the National Lutheran Council, raised such a possibility along with other objections in testimony before a House Education and Labor subcommittee.

More than 150,000 pupils attend Lutheran church schools. More than 80 per cent of the schools are operated by the Missouri Synod, which is not affiliated with the council. The Missouri Synod has not yet made its position known on the proposal, favored by the Roman Catholic Church, to add loans to private schools to the Administartion's bill for $2,298,000,000 in grants for public schools.

The text of Lutheran comment appears on Page 10.

Mr. Van Deusen is the Washington secretary of the Lutheran Council's Division of Public Relations.

"We fear," he said, "that the availability of low-interest Government loans would encourage the expansion of existing parochial school systems and the formation of parallel systems by other groups with a consequent erosion of the public school system and a fragmentation of American culture along religious lines."

Public Schools Seen in Peril

In addition, he testified, it might "encourage widepsread abandonment of the public school system in some states and the growth of a parallel system of private schools operated on a racially segregated basis in school buildings constructed with Government aid."

He said Lutherans believed that when a religious group accepted the option of conducting its own schools "it should provide the necessary financial support, thus insuring its own continuing autonomy and freedom."

A public subsidy "forces individual citizens to contribute to the financial support of a faith with whose tenets they do not agree," he contended.

Another witness, Dr. Harold Taylor, called on the Kennedy Administration to ward off an anti-segregation rider to the bill by ordering the Administration of Federal school funds "in a constitutional and democratic manner." Dr. Taylor, former president of Sarah Lawrence College, appeared on behalf of Americans for Democratic Action.

"The Administration should recognize its authority and responsibility for assuring the operation of public schools in accordance with the Constitution, thus freeing the education bill from entanglements more appropriately dealt with elsewhere," he said.

Dr. Taylor said the Administration bill for $2,298,000,000 over three years called for "only half of what we really need and less than the most conservative estimates of the gap to be filled." He said A.D.A. fully supported it, as "the first step."

The witness also registered the organization's backing for President Kennedy's contention that any loans for private schools should be provided in separate legislation.

Aid to non-public elementary and secondary schools, he testified, "raises constitutional and policy questions of a serious nature." He said the questions should be considered on their own merits and "should not be permitted to jeopardize passage" of the Administration bill.

14d(1) 1961

NATIONAL EDUCATION ASSOCIATION

After 7 Years, NEA Backs High Court

Atlantic City meeting okeys desegregation

ATLANTIC CITY, N.J — After seven years of taking no official notice of the Supreme Court school desegregation decision, the National Education Association last week passed a relatively weak resolution supporting the decision.

Even this watered - down measure passed only after two hours of heated debate among the 10,000 educators gathered for the 99th NEA session.

As expected, the state associations from Louisiana, Mississippi, Alabama, Georgia, and the majority of the Virginia delegation voted against the resolution.

The association turned down the proposed resolution that the teachers should "plan and initiate" programs to support the court decision.

After another heated argument, the association voted a commendation for the Arlington, Va. association which merged with the colored teachers' group. The Arlington group was forthwith kicked out of the Virginia association.

It was this state group which heatedly fought any move to commend the democratic move of its former Arlington affiliate. In Virginia and the other southern states, eachers' associaions are separate — some by constitutional provision. The national group, despite a provision that members mubt belong to their state associations, makes exceptions in the case of these colored teachers' groups and also of the Arlington group.

Supporters of the resolution backing the Supreme Court decision "in principle" said that past failures to do so had hurt the NEA professionally and had harmed America.

* * *

THE PICTURE in New Rochelle, N.Y. was mixed. Mayor Stanely Church appointed Mrs. Wilton R. Flippen as the first colored member of the school board. He also appointed a Jew, Philip Kasakove, and an American of Italian descent, Frank Marino.

The appeal of the school board, of the federal court order to desegregate all-colored Lincoln School was set for the week of July 17.

The case, originally set for Thursday, was set back when counsel for both sides pleaded unreadiness. At the same time three members of the nine - member board attacked the decision to appeal the desegregation ruling.

They said that the decision to appeal had not been made into a resolution as provided for in the procedural laws of the board.

Also last week, Judge Irving Kaufman, who handed down the desegregation order, criticised the other six members of the board —the six appealed his ruling.

He said: "The board has to understand that we are dealing with a constitutional question here, that children have the right to attend a desegregated school. "I will not stand for these six people to constitute themselves a super Supreme Court, to sit in judgement of my holding.

"..They must accept a ruling of a court of law, no matter how distasteful it is to them."

* * *

RALEIGH, N.C. doubled the number of colored pupils assigned to desegregated schools — there was one, now there are two.

The board assigned Caroline Y. Washington, 8, to Murphey Elementary School's second grade. William Campbell, 8, already attends the school — as do the two children of Gov. Terry Sanford.

* * *

IN DALLAS, Fed. District Judge T. Whitfield Davidson ordered local schools to get started on the stair-steps integrated plan he approved

He warned local whites to accept integration peacefully. The 84-year-old judge was forced to make the ruling— he was under direct orders of the 5th Circuit Court of Appeals.

To go along with his advice to whites, he told colored citizens to follow the advice of Gen. Grant at Appomathox — "Never crow over the reverses of an honorable adversary."

* * *

IN CHARLOTTE, N.C., U.S. District Judge Wilson Warlick ruled that eight colored children had not been denied entry to Derita School because of their race.

The case originated in 1959 and was tried last year. After a year's delay, Judge Warlick made his ruling against the children. The school is in rural Mecklenburg County.

* * *

THE ATLANTA . school board turned down the request of white students for transfer to schools which are not scheduled to be desegregated. The students now attend Northside and Grady High Schools — scheduled for desegregaion in the fall.

NEW BILL DIVIDES SCHOOL-AID PLANS

Senate Gets Clark Measure to Separate Private Loans From Kennedy Program

Excerpts from statements by Jewish groups, Page 16.

By JOHN D. MORRIS
Special to The New York Times.

WASHINGTON, March 29—A drive for separate legislation authorizing Federal loans for construction of private schools got under way today with the introduction of a bill in the Senate.

The measure was filed by Senator Joseph S. Clark, Democrat of Pennsylvania, with Senator Wayne Morse, Democrat of Oregon, as cosponsor. It would provide $350,000,000 in long-term, low-interest loans over three years.

Tentative plans call for two days of hearings in mid-April by Senator Morse's Labor and Public Welfare subcommittee. The panel will meet tomorrow to set up the hearings.

The move today was in line with President Kennedy's insistence that, if Congress wants to consider the needs of sectarian and other private schools it should do so in a bill separate from the Administration measure for aid to public elementary and secondary schools.

The Administration bill would authorize $2,298,000,000 in grants to the states, over three years for construction of public schools, payment of public school teachers' salaries, or both. Roman Catholic spokesmen are pressing for an amendment authorizing loans to private schools. The drive for separate legislation is designed to ward off such an amendment, which Administration supporters believe might bring about defeat of the public-school bill.

A House Education and Labor subcommittee, meanwhile, completed hearings on the Administration bill today. Opposing testimony on the parochial-school issue was given by spokesmen for Orthodox and secular Jewish organizations.

The Senate subcommittee completed its hearings on that bill last week. It was understood that the House would wait for the Senate to act before taking up the measure.

The tentative strategy of Administration forces in the Senate is to seek approval by the Labor and Public Welfare Committee of both the Administration bill and the Clark bill before taking the issue to the floor.

Revised Measure

The Clark bill would thus be "in the wings" when the Senate debated the Administration bill and might be useful as a lever to defeat a private-school admendment, it was explained. However, there was serious question whether a majority of the Senate committee would support of the Clark bill.

The measure is a revised version of one that Senator Clark announced he was introducing last Friday. He subsequently held back the bill.

Reliable sources said that some of the modifications made the bill less objectionable to the National Catholic Welfare Conference, the organization of the country's Catholic bishops.

The bill contains a clause designed to assure a Supreme Court test of its constitutionality. It specifies that a school applying for a loan would have to satisfy the United States Commissioner of Education that the loan would not violate the First Amendment's mandate for separation of church and state. The school would then be entitled to court review of an adverse decision.

The bill also contains a provision prohibiting loans to schools that practice racial discrimination in entrance requirements.

Jewish Leaders Differ

Disagreement between the Orthodox and secular groups of American Jews over aid to parochial schools was pointed up in testimony today by Morris Sherer and Leo both of New York.

Rabbi Sherer, executive president of Agudath Israel of America, strongly supported the Catholic case for Federal help. He presented what he called the prevailing sentiment of Orthodox Jews, who operate 251 elementary and secondary schools in twenty-six states.

"We deplore that an incorrect image has been foisted upon the American public of the Jewish position on this issue, and that, as a result, a false impression has arisen of the Jewish posture towards religious education," he declared.

Mr. Pfeffer, as general counsel of the American Jewish Congress, presented an equally strong statement on the other side of the issue. He said that the demand for Federal help to parochial schools "represents the most serious assault upon the wall of separation of church and state in the history of our nation."

The Committee for Economic Development presented a statement urging Federal aid for public education only in low-research organization or business men and educators said that this would involve annual Federal outlays of about $600 000,000.

Baptists Oppose Loans

Special to The New York Times.

GATLINBURG, Tenn., March 29—The North American Baptist Association is opposing Federal grants to private and parochial schools.

Resolutions adopted at the annual convention here also oppose loans made from public funds to such schools "at any rate of interest." Such aid is termed "an infringement of the historical principle of separation of church and state as set forth in the Constitution."

Some 2,000 persons from twenty-six states, Mexico, Brazil and Taiwan are attending the convention. Dr. A. R. Reddin of Conway, Ark., was re-elected president of the association.

STUDY PRODS FOES OF AID TO SCHOOLS

tion leads to "socialism" and "thought control."

For instance, the district-by-district figures showed that 13 Representatives who voted against the $1,300,000,000 Federal aid program in the House last May had apparently felless compelled to oppose "impacted area" grants to schools in their constituencies. The 132 Congressional districts whose Representatives voted "no" on the 1960 school bill received nearly $109,400,000 in "impacted area" aid.

The 1960 school bill passed the House by a vote of 206—189, but was successfully blocked by conservatives in the House Rules Committee and was never reconciled with a larger Senate version. The leading opponent was Representative Howard W. Smith, Democrat of Virginia. The study released today showed that Mr. Smith's Ninth Congressional District received $875,276 in impacted-area grants last year.

Appropriations for the impacted-areas program have consistently been favored legislation.

In 1959 and 1960 President Eisenhower proposed major cuts in the impacted-areas programs. In both years, bills to carry out a reduction were quietly killed in committees. Last year the House added a supplemental appropriation of $8,830,000 to pay teachers' salaries under Public Law 815, even though the Administration had not requested the money. The Senate added $7,362,000, also unsolicited.

There was no official comment today on suggestions that President Kennedy might try to end impacted-area aid if his $2,298,000,000 school-aid program passes. The Kennedy proposal embodies the same formula of grants for both classroom construction and teachers' salaries as the impacted-area program, with a sharply changed distribution system.

It appeared likely that the Administration would attempt to use the threat of reducing or ending impacted-area grants as a lever to gain more support for the general aid to education bill.

Another help, officials hoped, would be the list released today. It showed, for example, that although there was no favorable vote for the 1960 school aid bill in the Congressional delegations of Alabama, Arkansas, Florida, Georgia, Mississippi, Nebraska, North Carolina, South Carolina, Texas or Virginia, schools in each of these states received substantial grants under the impacted-area program last year.

Cash Grants

The cash grants were as follows: Alabama, $4,357,231; Arkansas, $1,344,931; Florida, $5,969,000; Georgia, $6,133,000; Mississippi, $2,297,430; Nebraska, $2,389,400; North Carolina, $2,792,840; South Carolina, $3,454,600; $13,671,800, and Virginia, $16,678,180.

Administration spokesmen stressed that although there were no roll-call votes readily available on the appropriation of these amounts by the House, the money had never been seriously opposed.

A comparison with the May 26 roll-call on the 1960 school bill, however, showed that the constituents of 132 House members who had specifically voted "no" on that proposal had enjoyed the benefits of impacted-area aid, without effective opposition by their representatives.

A partial list of Representatives who voted "no" and whose districts received impacted area assistance above $1,000,000 follows:

Robert E. Jones, Democrat, Eighth District of Alabama, $1,258,081; Charles M. Teague, Republican, Thirteenth District of California, $6,481,652; James B. Utt, Republican, Twenty-eighth District of California, $4,584,419; Bob Wilson, Republican, Thirtieth District of California, $5,785,238; Robert L. F. Sikes, Democrat, Third District of Florida, $1,959,078; A. Sydney Herlong Jr., Democrat, Fifth District of Florida, $2,129,436.

Also E. L. Forrester, Democrat, Third District of Georgia, $1,990,169; Mrs. Marquerite Stitt Church, Republican, Thirteenth District of Illinois, $1,238,447; William H. Avery, Republican, First District of Kansas, $1,334,255; William M. Colmer, Democrat, Sixth District of Kansas, $1,334,255; William M. Colmer, Democrat, Sixth District of Mississippi, $2,021,000; Glenn Cunningham, Republican, Second District of Nebraska, $1,548,478; Paul F. Schenck, Republican, Third District of Ohio, $1,403,357; Clarence J. Brown, Republican, Seventh District of Ohio, $1,137,554; Samuel L. Devine, Republican, Twelfth District of Ohio $1,626,655.

Also Page Belcher, Republican, First District of Oklahoma, $1,143,825; John Jarman Democrat, Fifth District of Oklahoma, $3,216,737; L. Mendel Rivers, Democrats, Democrat, First District of South Carolina, $1,794,798; John J Riley, Democrat, Second District of South Carolina, $1,364,793; E. Y. Berry, Republican Second District of South Dakota, $1,957,390; W. R. Poage, Democrat, Eleventh District of Texas, $1,347,449; J. T. Rutherford, Democrat, Sixteenth District of Texas, $2,104,947; Paul J. Kilday, Democrat, Twentieth District of Texas, $4,020,073.

Also Thomas M. Downing, Democrat, First District of Virginia, $2,928,040; Porter Hardy Jr., Democrat, Second District of Virginia, $4,368,526; Joel T. Broyhill, Republican, Tenth District of Virginia, $7,778,154, and Thomas M. Pelly, First District of

STUDY PRODS FOES OF AID TO SCHOOLS

Administration Report Finds Areas of House Critics Get Federal Funds

Special to The New York Times.

WASHINGTON, April 13—The Department of Health, Education and Welfare issued today a study to be used in the drive for passage of President Kennedy's aid-to-education program.

The study concerns the so-called "impacted area" program of Federal assistance. Under this program the Government makes grants to local school boards in communities whose school-age population is swollen by the proximity of national defense installations, such as military bases and defense factories.

In the fiscal year ended last June 30, the study shows, the Office of Education approved grants to "federally impacted" schools in 311 of the 435 Congressional districts. The grants ranged from $7,778,154 to the Tenth District of Virginia, comprising the Arlington and Fair-

fax County suburbs of Washington, to barely $1,300 for the Twenty-fifth Congressional District of Illinois. The grand total was $225,867,836.

Aim of Study

The total funds allocated under Public Laws 815 and 874—the two "impacted area" programs—have been published every year since 1950, when the legislation was first passed. The ten-year total of appropriations is approaching $2,000,000,000. What is new is the district-by-district breakdown.

The Office of Education revealed the statistical breakdown without public comment, but officials clearly hoped the figures would demonstrate inconsistency in the position taken by Congressmen who oppose Federal aid—namely, that any kind of Federal assistance to educa-

14d(1) 1961 GENERAL

Calm Prevails as More Southern Schools Open Doors to Negro Children for First Time

Washington Post A 2 Wed 9-6-61

Washington D.C.

United Press International

Desegregation spread peacefully to more schools in the South and Southwest yesterday, first day of the new school year for many communities, in marked contrast to the frequent violence of the past.

From Norfolk, Va., to Galveston, Tex., and in such states as Florida and Arkansas, a number of previously all-white grade schools and junior and senior high schools opened their doors to Negro students —mostly on a token basis—in compliance with Federal law. No incidents were reported.

In Little Rock, Ark., where U. S. Army troops were ordered in during the 1957 desegregation disorders around Central High, five more schools desegregated. A white student's reaction: "We could not care less." School talk was of football, not race, and whites and Negroes mingled freely in the corridors.

Still to come is desegregation in Dallas, where 8 of 101 white elementary schools in the Nation's largest segregated school district will open to Negro first-graders today. Officials predicted no trouble.

Police in New Orleans, scene of disorders last year, patrolled barricades set up around six public schools which will be desegregated by Sept. 15. But except at one school — McDonogh 19, which was desegregated last year— new white students registered for classes that will include Negroes. This indicated a break in a white boycott which began last year.

This was the situation yesterday state by state:

• Florida: Fort Lauderdale admitted 23 Negroes to previously all-white schools. Two Negroes joined white students in school at Daytona Beach. Miami already has desegregated.

• Georgia: Desegregated education continued in Atlanta for the fourth day for nine Negro students who began the school year with whites last week. Atlanta set the peaceful tempo this year, but heavy police guards were reported at all schools involved, just in case.

• Arkansas: Four of the five junior high schools in Little Rock received Negro pupils. One all-white senior high, a trade school, was desegregated and two previously desegregated senior high schools received more Negroes.

• Texas: Roman Catholic parochial schools began desegregated education in Galveston from the first through the seventh grades. Public schools in Galveston desegregated today.

In Dallas, as many as 30 Negro first graders were to enter eight all-white elementary schools today on a "stair step" program that will desegregate an additional grade a year for 12 years.

Houston, Austin, Corpus Christi and San Antonio already have desegregated schools.

• In New York Citty a different situation prevailed. About 50 Negro parents threatened a school boycott unless their children were transferred to a school outside their predominantly Negro neighborhood. They charged their local school was both run-down and "segregated."



Washington Post A 2
Wed. 9-6-61

United Press International

This was the quiet e in Little Rock, Ark., yesterday as five Negro stude ntered the East Side Junior High School. Four junior highs and one high school were desegregated for the first time as the school year opened.

Integration Is Peaceful In Southland

Courier-Journal

By The United Press

Integration spread peacefully in schools in the South and the Southwest yesterday, first day of the new school year, in marked contrast to the violence that frequently accompanied it in the past.

From Norfolk, Va., to Galveston, Tex., and such states as Florida and Arkansas in between, a number of previously all-white grammar schools, junior and senior high schools opened their doors to Negro students — mostly on a token basis—in compliance with federal law. No incidents were reported.

Wild 9-6-61

Dallas Desegregation Due

In Little Rock, Ark., where United States Army troops turned out during the 1957 integration disorders around Central High, five more schools were integrated.

Louisville Ky

Still to come is integration in Dallas, where eight of the 101 white elementary schools in the nation's largest segregated school district will open to Negro first-graders today.

Police in New Orleans, scene of disorders last year, patrolled barricades set up around six public schools which will be desegregated by September 15. But except for one school, McDonogh 19, which was desegregated last year, new white students registered for classes that will include Negroes. This indicated a break in a white boycott which began last year.

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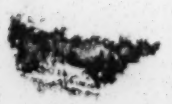
Virginia—Richmond, Arlington, Norfolk, and Fairfax counties opened some white schools to Negroes. A total of 537 Negroes are expected to be in the schools by the end of the week.

But in Prince Edward County, segregated "private" education resumed for whites. The County abandoned public-school education two years ago to avoid desegregation. Nearly all the 1,700 Negro children of the county began another year of no formal education.

Florida—Fort Lauderdale admitted 23 Negroes to previously all-white schools. Two Negroes joined white students in school at Daytona Beach.

Arkansas—Four of the five junior high schools in Little Rock reveived Negro pupils. One all-white senior high, a trades school, was integrated and two previously integrated senior high schools received more Negroes.

Texas—Roman Catholic schools began integrated education in Galveston for the first seven grades.



The Story of Schools

Desegregation Can't Stop 'Resegregation'

The Pittsburgh Courier

NASHVILLE, Tenn.—Removing obstacles to the admission of Negroes to schools with whites has not always ended with large-scale desegregation, Southern School News reported in a special article in the November issue.

Recent surveys show that some new biracial districts and schools have reversed their original racial predominance, with the incoming minority race becoming the large majority. Other desegregated schools have changed by stages from an all-white to an all-Negro enrollment — resegregation.

p. 9

And in other places, even though the schools had full desegregation policies, Negro pupils have shown little desire to leave their uniracial schools to attend classes with whites.

In most cases the change in racial predominance resulted from migration — movement across state lines, from the North to the South, from one neighborhood to another, from the city to the suburbs.

Aug 12-2-61

IN BALTIMORE and Washington, two of the first large cities completely to desegregate their school systems after the Supreme Court's 1954 segregation ruling, the enrollment majority in the public schools has shifted from white to Negro.

The racial makeup of the public school systems changed because of the whites' city-to-suburbs flight, which is occurring in many of the nation's major cities. The racial composition of student bodies in individual schools swtched because of changing neighborhoods.

A school official in St. Louis observed last month that the city had more segregation than shortly after the complete desegregation in September, 1955. St. Louis has experienced a heavy influx of Negroes from the South and a shift of racial groups from neighborhood to neighborhood.

Pittsburgh Pa

A CHANGING neighborhood in Miami, Fla., helped speed one of Dade County's first desegregated schools, Orchard Villa, from all-white in 1959 to predominantly white, to predominantly Negro, to all-Negro in 1960.

The district is trying large-scale desegregation this year at another school, Earlington Heights, which again is in a neighborhood changing from white to Negro.

NEA Drafts 'Strong' Desegregation Plank

ATLANTIC CITY, N. J. June 27 (AP)—The National Education Association, whose ranks have been split in the past by bitter battles over school desegregation, appears ready this year to take a stand on the issue with a minimum of bickering.

The Resolutions Committe of the NEA convention has offered the strongest policy statement on desegregation in NEA history.

It falls far short of what many Negroes and many Northern and Western whites would like. However, it seems to have at least token support from them, and from Southern whites as well.

The policy statement was offered at an open meeting of the Resolutions Committee yesterday. In contrast to past years, its reception was mild. No one, of counrse, dares predict what the 6000 voting delegates will do when the resolutions come up for a vote Friday.

This year's resolution appears "strong" only by comparison with action at other NEA conventions.

The resolution proposed this year is the first one ever to carry even a hint of action by the NEA.

It directs the officers and directors of the association "to be alert to the possibilities for planning and initiating actions" which will, among other things, "assure the maintenance of free public schools; promote good will, fairness and respect for law, offer possibilities of reducing hostility."

Lucille Carroll, high school English teacher in Wooster, Ohio, and Hazel Blanchard, elementary school principal in Fresno, Calif., today were nominated for the post of president-elect of the Association. The election will be held Friday.

The Education Writers Association, also meeting here, today presented its top awards for 1961 to Mrs. James M. Donahue of the South Hills Record of iPttsburgh, Pa., and Erwin Knoll of The Washington Post.

Look Magazine won the award for coverage of education by a general circulation magazine.

Mrs. Donahue was cited for local reporting and Knoll for national reporting.

Bronze plaques were presented to the top award winners at a luncheon.

14d(1) 1961

GENERAL

Mixed schools will admit 1,050 pupils

NASHVILLE, Tenn. — Southern cities and counties have assigned almost 1,050 additional pupils to bi-racial schools for next fall, the Southern Educational Reporting Service said last week.

The reporting service said also that massive drives have been called for in numerous cities throughout the South.

Atlanta accepted 10 pupils for schools formerly segregated. Their admission in September, will mark Georgia's first desegregation below the college level.

THE ONLY whites left with completely segregated schools will be Mississippi, Alabama and South Carolina.

Delaware will open all grades in all schools to both races this fall. Little Rock, Ark., will have desegregated junior high schools for the first time this fall.

Expanded desegregation is slated for Miami, Raleigh, N.C.; Charlottesville, Va., and Montgomery, Harford and Carroll Counties in Maryland.

At Chapel Hill, N.C., the school board followed through on a first grade desegregation plan by directing assignment of 40 pupils to formerly segregated schools.

The board also was expected to act favorably on requests for assignment of pupils to the third, eighth and ninth grades of formerly white schools.

One pupil, Ted Stone an eighth grader, was admitted to Chapel Hill Jr. High.

Under the new policy an undetermined number of white first graders are slated for assignment to the elementary school.

Board members made it clear, however, that they would look with favor upon requests for the reassignment of pupils assigned to schools where they would be in the racial minority, as a result of the new geographical assignment plan.

* * *

AT RICHMOND, VA., the State Pupil Placement Board Thursday admitted 22 pupils to predominantly white schools in four Virginia localities.

Of the 22, 14 will attend classes at Alexandria; eight were admitted to Minnie Howard, one to William Ramsey, and three to Theodore Ficklin Elementary Schools. Two were admitted to Hammond High School.

The only school slated to accept non-white pupils for the first time in Stafford High School, the first in Stafford County to desegregate.

Three pupils each were assigned to Floyd and Check High Schools in Southwest Virginia.

The board, which met for three days in Richmond, turned down 22 applications for Stafford elementary and high schools, four for E. C. Glass High School at Lynchburg and 33 for Roanoke County and Lynchburg.

* * *

ON WEDNESDAY, the board announced that 32 transfers had been approved while 88 had been rejected.

No action was taken on the applications of 86 pupils in Norfolk for reassignment.

Schools affected by Wednesday's announcement included three at Roanoke, where 13 were admitted; Occuquan Elementary School in Prince William, where one was admitted; and Galax High in Southwest Virginia where 17 were assigned.

Thirty-seven of the Roanoke applications were rejected on the basis of distance and academic considerations. All 42 applications for transfers to white Petersburg schools were turned down, the board said, due to failure to "follow the prescribed procedure in applying."

A total of 84 Virginia pupils were reassigned by the board during its three-day session, while 144 were turned down.

White schools enroll 1000 more Negroes

NASHVILLE, Tenn., July 11—As the 1960-61 school year ended, school boards in eight Southern cities and counties assigned almost 1050 additional Negro children to biracial schools next Fall. At the same time Negro leaders called for a massive drive against school segregation in the South.

Atlanta accepted 10 Negroes to enter white high schools in September. Little Rock, Ark.; Miami, Fla.; Raleigh, N.C.; Charlottesville, Va.; and Montgomery, Harford and Carroll Counties, Md., announced expanded school desegregation. Delaware received court approval of a plan to open all grades in all its schools to Negroes.

Initial desegregation occured at the University of Miami, Wake Forest College, St. Petersburg Junior College and the University of Tennessee's Martin Branch as Negroes enrolled for Summer sessions.

In Atlanta, Negro attorneys were reported considering federal court action in the cases of 38 Negroes turned down for transfers to the white schools. The change to biracial schools in Atlanta would leave only Mississippi, South Carolina and Alabama with completely segregated public schools.

Under Delaware's new plan, which was ordered by the U.S. Third Circuit of Appeals last year, all Negroes will have the choice of entering white schools at all grade levels in September.

Dade County (Miami), Florida's only desegregated district, assigned Negroes to six more schools, making 10 biracial schools next Fall. Officials plan massive desegregation at Earlington Heights Elementary, which had 356 whites last year; it will have abou[illegible]egroes and 160 whites in th[illegible]all, according to a school survey.

Montgomery County, Md., will close its last three all-Negro schools and will reassign the pupils attending them to biracial schools; based on 1960-61 enrollment this will place an additional 764 Negro children in schools with white children.

Carroll County acepted five new applications for predominantly white schools, and Harford County approved 14 Negro transfers. Kent and Queen Anne's counties concluded their application periods without receiving any transfer requests from Negroes.

Other Maryland counties were in the process of receiving transfer applications.

Little Rock will have desegregated junior high schools next Fall for the first time. The board has assigned 49 Negroes to the formerly all-white junior and senior high schools, 38 more than attended biracial schools last year.

Dollarway School District at Pine Bluff, Ark., promoted to the second grade of its white school the one Negro girl who attended the first grade there last year. The board rejected two Negro boys applying for the school's first grade.

Orleans Parish (county) school officials began processing 66 Negro first graders applying for admission to white schools in September.

Two North Carolina school boards approved assignment of Negroes to already desegregated schools. The Raleigh board enrolled a second Negro at Murphey Elementary, the city's only biracial school. The Charlotte-Mecklenburg Board of Education reassigned one Negro student to Bethune Elementary School.

Assignment of 14 additional Negroes to desegregated schools in Charlottesville, Va., made 31 Negroes scheduled to be enrolled in the city's two biracial schools next September.

A third Florida public college entered Negroes into white classes in June. St. Petersburg Junior College, which has separate campuses for each race but has no Negro Summer school, had two Negroes in the Summer session on the white campus.

The University of Miami, a private school, followed through with its desegregation policy announced last Spring and admitted about 25 Negroes for Summer classes.

Wake Forest College, Baptist school at Winston-Salem, N. C., admitted its first Negro to Summer class, although the undergraduate college remains segregated as a matter of board policy.

Two Negroes became the first of their race to enter the University of Tennessee branch at Martin. U-T first opened its graduate school to Negroes in 1952 and its main campus undergraduate division in 1961.

The board of trustees of the University of the South at Sewanee, Tenn., announced all applications to the college would be considered "without regard for race." The Episcopal school has accepted Negroes in the school of theology since 1953.

A third Negro enrolled without incident at the University of Georgia, where students rioted earlier his year when the school accepted its first two Negro students under court order.

14d(1) 1961 GENERAL

SUIT TO BE FILED IN WASHINGTON, D,C,
FEB. 14, 1961
AGAINST PRESIDENT JOHN F. KENNEDY
AND 3MEMBERS OF HIS CABINET
IN A MOVE TO CUT OFF FEDERAL FUNDS FROM
SEGREGATED INSTITUTIONS

Mixer Plans Suit Against President

Jackson, Daily News P.3

Jackson, Miss.

By United Press International

A Negro lawyer in Virginia plans to file suit on Valentine's Day against President John F. Kennedy and three members of his cabinet in a move to cut off federal funds from segregated institutions. 2-10-61

A Florida legislative committee investigating the National Association for the Advancement of Colored People brought the plan to light Thursday. E. A. Dawley, a Negro attorney in Norfolk, Va., confirmed it.

"We now bang at the front door of the legal summit," Dawley said in a prepared statement.

"The patience of 100 years is not inexhaustible. It is exhausted."

The disclosure of the proposed lawsuit climaxed an eventful day of demonstrations in the South.

Thirty-seven Negroes were arrested in Atlanta for trying to obtain service at white restaurants. The new arrests brought to 64 the number arrested there in three days.

About 100 Negroes and a few white sympathizers gathered in groups of 20 in Nashville, Tenn., to seek admission to segregated movie theaters. Three theaters roped off entrances and admitted no one. A fourth turned away the Negroes, who then went back to the end of the picket line and tried again.

The Florida Legislative Committee, which charged that the NAACP in Florida has been infiltrated by "direct agents of the Communist government in Soviet Russia," announced plans for the Virginia lawsuit had been uncovered by a secret agent from the Florida Road Department.

POSES AS MIXER

It said Ernest Salley posed as an integrationist to get evidence for the committee and in the process found out about the lawsuit.

The committee said the suit will be filed in Washington Feb. 14 naming President Kennedy, Secretary of Health, Education and Welfare Abraham Ribicoff; Treasury Secretary Douglas Dillon, and U.S. Treasurer Elizabeth R. Smith as defendants.

Dawley's statement said the disclosure "in no way affects our plans." He said the suit will be filed as scheduled to stop federal funds from going to institutions "public and private" which practice racial segregation.

"If we are correct that the subsidy of racial segregation by our country is unlawful, and the court sustains us, a new horizon of morality will be opened for the new frontier that our country faces," Dawley said.

More Negroes In Biracial Schools

NASHVILLE — (UPI) — The percentage of Negroes enrolled in schools with whites in Southern and border states has climbed steadily since 1960, Southern Schools News reported Monday.

The News, published monthly by the Southern Education Reporting Service, said that 7.3 per cent of the Negroes enrolled in schools in 17 Southern and boarder states now attend biracial classes.

When the publication first began keeping a count in May 1960, six per cent of the region's Negro students went to school with whites.

Of the 233,509 Negroes who attend classes with whites, 226,606, (97 per cent) live in the District of Columbia and the border states of Delaware, Kentucky, Maryland, Missouri, Oklahoma and West Virginia, the publication said.

The News said that 927,146 Negro students live in the region's 897 desegregated school districts, but only 25.2 per cent of these students actually attend desegregated schools.

The number of Negroes attending biracial classes more than doubled in five southern states this year.

South Notes Increase in Negro Pupils

20,000 More Than Were in School in May

By The Associated Press

NASHVILLE, Tenn.

Nearly 20,000 more Negroes are attending desegregated schools in the South this school year than were enrolled in them last May, a new statistical summary of the Southern Education Reporting Service said yesterday.

But the summary added that the 233,509 Negroes now in biracial schools in seventeen Southern and border states, plus the District of Columbia, comprise only 7.3 per cent of the region's Negro enrollment.

The statistical summary attempts to digest developments in education arising from the U. S. Supreme Court's decisions in school segregation cases.

The surveys for the summary, SERS said, found that 28.9 per cent of the region's Negro students are in desegregated school districts but of these 927,146 Negroes, only 25.2 per cent actually attend desegregated schools. The white enrollment in desegregated districts was reported as 3,759,894.

One Area Heavy

The publication said 97 per cent of the region's desegregated Negro students are in the District of Columbia and Delaware, Kentucky, Maryland, Missouri, Oklahoma and West Virginia which, together, have but 14.3 per cent of the South's total Negro enrollment.

The remaining 3 per cent, it said, are in eight states—Arkansas, Florida, Georgia, Louisiana, North Carolina, Tennessee, Texas and Virginia—which have 60 per cent of the total enrollment.

The three states still with segregated public schools—Alabama, Mississippi and South Carolina—have 25.7 per cent of the Negro enrollment, the summary said.

It said that in the entire region 897 school districts are listed as desegregated, but 104 are desegregated in policy only, with no bi-racial classes.

14d(1) 1961

GENERAL

ANTI- MIXING LAWS

2 Southern States Likely To Enact Anti-Mixing Laws

NASHVILLE, Tenn. (AP)—Louisiana and Georgia are the only Southern states where major legislative action is likely in early 1961 on school segregation-desegregation, Southern School News said Saturday.

In 12 other Southern and Border states where legislatures are preparing to convene, the prospect is for few new laws on the subject, the publication said in a report for its January issue.

The report said the expected lack of legislation in most states "is not attributed necessarily to any lessening of official reluctance to desegregate—nor to any appreciable letup in several states' attitude of all-out resistance.

"(But) some lawmakers believe they have legislated virtually to the limit of feasibility and indicate they find it difficult to produce new ideas," it said.

In addition, the publication said, nine states in the area have pupil placement laws which "list various factors other than race for guiding administrative decisions on which school a child shall attend."

During the past seven years, the report said, nearly 300 laws, resolutions and state constitutional amendments were passed in Southern states "in efforts to prevent, restrict or control school desegregation."

It said the current courses of legislators in Louisiana and Georgia are related closely to developments in New Orleans and Atlanta, where federal courts have ordered desegregation.

As for the Border states, the publication said, they are proceeding in the main toward completely non-racial school policies and have made few legislative moves in the wake of U.S. Supreme Court desegregation decisions.

In states farther south, it said, legislators appear to be waiting, at least for the time being, and relying on existing laws. Four of these states were listed as having completely segregated schools—Alabama, Georgia, Mississippi and South Carolina.

The report said state legislative sessions would be held in 1961—most of them beginning in January—in Delaware, Maryland, Missouri, Oklahoma, West Virginia, Arkansas, North Carolina, Tennessee, Texas, Alabama, Florida, Georgia, South Carolina, and in Louisiana, where the third consecutive extraordinary session will be held.

Southern School News is published monthly by the Southern Education Reporting Service.

South Running Out Of Race Law Ideas

Only Two States Planning New Legislation

NASHVILLE, Dec. 31.—(AP)—Louisiana and Georgia are the only Southern states where major legislative action is likely in early 1961 on school segregation-desegregation, Southern School News said Saturday.

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State-by-state review—

Schools, courts face busy year

NASHVILLE, Tenn., Jan. 2 — The number of school desegregation suits pending in federal courts at the year's end indicated that litigation on the issue would keep school officials and courts busy during 1961.

The New Orleans case was the most active during December as Louisiana continued to search for ways to block desegregation carried out in Orleans Parish under federal court order. The New Orleans school board asked the U. S. Supreme Court for permission to return the schools to a segregated basis until the question of sovereignty was settled.

The Dallas school board plans to seek a rehearing of a U. S. Fifth Circuit Court of Appeals decision that knocked out a pupil transfer plan patterned after Nashville's. A desegregation suit involving another Texas city, Galveston, has been set for hearing in federal court Jan. 30.

THE CHATTANOOGA, Tenn., school board submitted a desegregation plan to a federal court as ordered. A hearing on the proposed plan will be held Jan. 9. Davidson County, Tenn., preparing to desegregate the first four grades this month as ordered by federal court, still faces a hearing on the portion of the suit calling for teacher integration.

The date Jan. 9 figured importantly in school desegregation in Georgia. U. S. District Judge William A. Bootle announced he would try to rule on the University of Georgia desegregation case by that date. On the same day, the Georgia General Assembly was scheduled to convene; there was some doubt that school desegregation would be an issue in the session.

An important new suit filed in Florida asked that the Duval County school board be permanently enjoined from operating segregated public schools. Near the end of the month, the court gave the board an extra 30 days to reply to the suit. Florida now has school suits pending in six counties: Duval, Volusia, Dade, Palm Beach, Hillsborough and Escambia.

THE DELAWARE Board of Education completed a new statewide desegregation plan in December to be considered by federal district court. The U. S. Third Circuit Court of Appeals had rejected the state's grade-a-year plan.

Desegregation suits were the highlights of school activity in North Carolina in December. A federal judge had under consideration arguments in the case of a Negro seeking admission to an all-white school in the already desegrated Chapel Hill school system. Two suits combined against the Durham school board directly attack the constitutionality of the state's pupil placement law.

Arguments in these cases and in the much-amended Caswell County case were to be heard during the same court term. A suit by eight Negro children seeking admission to all-white Mecklenburg County school was scheduled for trial in February. Since the suit was first filed, the county school system has merged with the Charlotte city schools.

Other major developments during December included:

ALABAMA—Gov. John Patterson said New Orleans' school desegregation problems were nothing compared to what would happen in Alabama if integration were attempted.

ARKANSAS—Gov. Orval E. Faubus offered his assistance to Gov. Jimmie H. Davis of Louisiana in the New Orleans school situation.

DELAWARE—The state will spend almost $4 million for construction at Negro schools.

DISTRICT OF COLUMBIA—The opening of Congress on Jan. 3 was expected to bring another battle over the Senate's filibuster rule, but indications were that it would be only a token effort.

FLORIDA—Volusia County school board attorneys pushed their attack on a school desegregation suit filed by both Negroes and whites.

GEORGIA—Georgians continued to debate the problem facing Atlanta with the desegregation of its schools scheduled for next September.

KENTUCKY—The State Department of Education reported 287 Negro teachers were serving biracial schools.

LOUISIANA—The Legislature recessed from its third consecutive special session after strongly criticizing the federal courts.

MARYLAND—The first statistical look at 1960-61 desegregation in Maryland county schools showed a record increase in Negroes attending formerly all-white classes.

MISSISSIPPI—Legislators urged Gov. Ross Barnett to call a special legislative session before the regular 1962 assembly to re-examine and strengthen segregation laws.

MISSOURI—The number of Kansas City public schools having bi-racial student bodies has increased each year since 1955, a recent study shows.

NORTH CAROLINA—The new governor, Terry Sanford, will send his two children to Raleigh's only desegregated school after he takes office in January.

OKLAHOMA—Oklahoma City schools have modified somewhat a strictly administered policy that has kept Negroes from transferring to schools where they would be in the minority.

SOUTH CAROLINA—Parents of Negro students at Charleston protested construction of additional classrooms at a Negro school and sought transfer of a number of Negro children into white schools.

TENNESSEE—The first Negro undergraduates—at least three—are expected to be admitted to the University of Tennessee on Jan. 3 for the first time.

TEXAS—A decision of the U. S. Fifth Circuit Court of Appeals criticized the Texas referendum act, which has slowed desegregation since 1937.

VIRGINIA—A group of Prince Edward County Negroes tentatively planned a boycott of white merchants after the county board of supervisors rejected their position for re-opening public schools.

WEST VIRGINIA—A bill to create a West Virginia Human Relations Commission has been drafted for the consideration of Gov.-Elect W. W. Barron.

Enrollment Is At Record High

Chicago Defender

Chicago Ill

By LOUIS CASSELS

The start of a new year is a good time for taking stock in education as well as business.

For the sake of perspective, let's take a look at what's happened to U.S. public schools, not only during the past year, but also during the past decade.

The statistics are pretty startling, even to those who have been well aware that our school system was experiencing a phenomenal growth.

ENROLLMENT INCREASES

Enrollment in public elementary and high schools now stands at a record high of 37,244,000.

That's an increase of 1,200,000 students over the past year.

Since the 1950-51 academic year, our schools have absorbed an additional 11,450,000 students — which is a lot of kids by any standard you wish to apply.

FEWER TEACHERS

Although we still have fewer qualified teachers than we need, the record shows that we've done a remarkable job of expanding our professional resources in this field over the past decade.

In 1950-51, we had 927,617 classroom teachers. Today we have 1,408,962.

The increase in teaching staff over the past decade (52 percent) was larger than the increase in enrollment (44 percent). So we have made some progress in the direction of reducing teacher-student ratios and bringing over-large classes down to manageable size.

RAISE SALARIES

To recruit additional teachers, school districts across the nation have had to raise salaries steadily and fairly sharply.

According to figures compiled by the research division of the National Education Association, the average annual salary of instructional staff members was $3,126 in the 1950-51 school year.

This year it is $5,389 — an increase of $2,263, or 72 percent.

SCORED REAL GAIN

Even when you take account of the rise in livinng costs, as measured by the consumer price index, teachers have scored a real gain in purchasing power of nearly 50 percent during the past 10 years.

And their salary level is still going up. The average teacher got a pay raise of 4.5 percent during 1960.

More students, more classrooms, more teachers and higher salaries add up to a steep rise in educational costs.

SCHOOL COSTS UP

In 1950-51, U. S. taxpayers invested $6,520,000,0000 billion on public schools.

In 1960-61, the tab will be $16,476,000,000.

That means that expenditures for public schools have risen by 153 percent during the decade.

There's no sign that this trend is leveling off. During the past year, while enrollment was rising 3,3 percent, school c rose by 7.8 percent.

GEORGIA GIVES IN

Jackson Daily News

Only Three States Still Segregated

Jackson, Miss.

Sun. 1-29-61

By AL KUETTNER
United Press International

ATLANTA (UPI) — And then there were three.

With the final approval Friday of four statutes the Georgia legislature abandoned this state's massive resistance to school desegregation.

The action left Alabama, Mississippi and South Carolina the only states in the nation that still clung to segregation at all costs for public schools and state institutions of higher learning.

When the U. S. Supreme Court ruled in 1954 that in the field of public education there could be no policy of segregation, 17 states had racial barriers in the schools and four others had permissive racial laws.

Georgia, with a network of laws designed to protect the state's public schools and colleges from federal court mandates, had as strong a defense as any state. But the barriers were all swept away with surprising swiftness and almost overnight the state's official position changed.

With Georgia removed from the dwindling list of holdout states, the big question was: Who is next?

NO SIGNS OF SUITS

Alabama already has encountered one desegregation experience—the famed Autherine Lucy case at the University of Alabama. The Negro girl was expelled on disciplinary grounds following a student riot over her admission. No other Negroes have applied at the university or at any other Alabama school.

South Carolina and Mississippi have no desegregation suits pending or threatened in the courts.

Since 1954, Georgia's attorney general, Eugene Cook, and special legal experts have painstakingly laid the state's legal defenses against enforced integration.

School closing laws and private school plans were created by the legislature while school systems and the university system were toughening entry requirements for all prospective students.

Several years back, a Negro named Horace Ward applied for entry at the University of Georgia. He almost won his case in federal court but was blocked by the "administrative procedure" of the university's entry requirements.

SHOWDOWN AT UNIVERSITY

Soon after the Ward case was dismissed, other Negroes applied for admission to Georgia State College in Atlanta. They won a decision requiring the college to stop discriminating against Negro applicants. But no Negro has yet been accepted for that institution.

In Atlanta meanwhile, a federal judge ordered desegregation of the city's school system effective in the fall of 1961. he allowed time for state laws to be changed—and they were, in record time.

The blow that finally pierced the Georgia segregation wall fell in January of this year but its first thrust occurred early last year with the careful selection of two Negroes — Charlayne Hunter and Hamilton Holmes—for another try at getting into the University of Georgia. It proved to be a successful attempt.

It was after their riot-torn admission two weeks ago that Georgia officials, led by Gov. Ernest Vandiver, decided to abandon massive resistance.

At the governor's request, backed by his leaders in both houses, the legislature quickly adopted laws that:

1. Give local communities the right to close or re-open integrated schools.

2. Give local school boards authority to transfer pupils.

3. Provide for state grants for pupils that refuse to attend integrated schools.

4. Propose for submission to the voters "freedom of association" constitutional amendment guarantee.

Although legal specialists agree that most of the measures were speedily drawn, the Georgia package—referred to by Vandiver as "child protection laws"—incorporates much of the Virginia freedom of choice program and the North Carolina plan.

Aflanta school officials regard the legislation as a firm stepping stone to tranquil desegregation of the city's system.

3 Southern States Fail To Comply With Decision

The Louisiana Weekly

New Orleans, La.

Sat. 1-28-61

MIAMI, Fla. (ANP) -- Although Mississippi, Alabama and South Carolina are listed as the only three state universities which have not been desegregated, some state schools qualify as integrated by only token compliance.

Integration in Florida colleges and universities for example is limited to a handful of students.

The University of Florida Law School has one Negro - Willie George Allen, 24-year old resident of Sanford, who was admitted last September.

Only other state supported institution with any integration is Dade's junior college where several Negroes attend some white classes.

For the past two summers, several Negroes have enrolled in the University of Florida's teacher education college for short courses.

TRIED 9 YEARS: NO SUCCESS

Virgil D. Hawkins, Daytona Beach, tried unsuccessfully for nine years to get into the University of Florida Law Schoool.

Then in September 1958, the University of Florida was ordered to admit a Negro to its law school.

But the federal court limited integration to graduate professional schools at the University of Florida only.

Hawkins couldn't meet the entrance qualifications, but subsequently another Negro was enrolled in the law school. He later dropped out as did the university medical school's first student.

INTEGRATION "LIMITED"

The limited integration at the University of Florida and Dade's junior college has proceeded without incident.

Louisiana State and Tennessee are the only universities in the deep South which have admitted Negroes as undergraduates. Several have Negro graduate students.

Five of Louisiana's nine state-supported colleges are now desegregated.

The state no longer keeps enrollment records by race but the Southern Regional Council, an organization which compiles facts and figures on integration, gave these estimates:

LSU at Baton Rouge, 45 Negroes; McNesse College, 50 to 75, Southern Louisiana College, 12 to 15; Southern Louisiana Institute, 150 to 200.

Tennessee has removed "race as a factor in admissions" in six state-supported colleges and 36 Negroes are currently enrolled in them.

The separately controlled University of Tennessee admitted its first three Negro undergraduates just a few weeks ago.

Fifty-seven Negroes are enrolled in 6 of 16 state colleges which have desegregated in North Carolina.

KENNEDY SPEAKS FOR INTEGRATION AND PLEDGES AID

Says Constitution and Public Reject School Barriers—Cites 'Moral Authority'

ACTION IS UNDER STUDY

President Calls on Business to 'Lift Shadow' Caused by Antitrust Cases

Transcript of news conference and summary, Page 18.

By ANTHONY LEWIS
Special to The New York Times.

WASHINGTON, Feb. 8—President Kennedy said today that both the Constitution and public opinion demanded the admission of children to public schools "regardless of their race."

He made the comment at his news conference when he was asked about the struggle over school integration in New Orleans. Since a Federal court ordered two schools desegregated there last fall, all but a handful of white children have boycotted classes or stayed away for fear of reprisals.

The President said he would "attempt to use the moral authority * * * of the Presidency," in New Orleans and elsewhere, "at such time as I think it is most useful and most effective." He said he had under study whether to step into the New Orleans situation. [Question 5, Page 18.]

Comments On Trust Cases

On other domestic subjects at his third Presidential news conference, Mr. Kennedy said:

¶In the light of the sentences just imposed in the electrical antitrust cases, he hoped "the business community itself" would consider steps "to lift this shadow" of unethical practice "from its shoulder." [Question 18.]

¶James M. Landis will not be an "overseer" of the Federal regulatory agencies—an office Mr. Landis suggested in a report to the President—but will merely work with members of Congress and others "for some months" to improve regulatory procedures. [Question 6.]

¶White House aides will continue to deal personally with members of Congress, as in the fight over enlarging the House Rules Committee, to push the President's legislative program. [Question 9.]

¶He is doubtful that much can be done to stop gerrymandering of Congressional districts, but he will examine a proposal by Representative Emanuel Celler, Brooklyn Democrat. [Question 23.]

Speaks More Slowly

Mr. Kennedy's manner was less crisp and animated today than at his first two meetings with the press. He spoke more slowly. At times he paused to grope for a thought, and he seemed less assured.

The reporters thought he looked tired.

The remarks on New Orleans were the first substantial comment by Mr. Kennedy about civil rights since he assumed office. There was one general sentence on the subject in his State of the Union Message, and one brief and inconclusive exchange at each of the earlier news conferences.

The nearly universal feeling in Washington has been that the President wants to walk softly on civil rights for the time being. The reasoning is that he wants to get much of his legislative program past Congress before pushing the issue that may lose him Southern support.

The President's reaction to the civil rights question today was in keeping with this reported attitude of caution. He dealt with the subject gingerly at first, but warmed to it after a supplementary question had been put to him.

The questioner noted the apparent effort by New Orleans segregationists to harass any white families who wanted to send their children to the integrated schools. Two families who made the attempt have left the city after receiving threats.

Asked what he planned to say or do about New Orleans, Mr. Kennedy made the remark about using his moral authority when effective. He went on:

Cites Constitution

"I want to make sure that whatever I do or say does have some beneficial effect and therefore, it is a matter which we are considering." [Question 5.]

He was then asked whether he did not have something specific to say today about New Orleans. After a moment's pause, the President said he would comment.

"It is my opinion," he said, "that all students should be given the opportunity to attend public schools regardless of their race, and that is in accordance with the Constitution. It is in accordance, in my opinion, with the pudgment of the people of the United States."

He said "students should be permitted to attend schools in accordance with court decisions." He went on:

"Regardless of the court decisions, I believe strongly that every American should have an opportunity to have maximum development of his talents, under the most beneficial circumstances, and that is what the Constitution provides."

As to the question of "what we can usefully do in New Orleans in order to provide a more harmonious acquiescence with the court decision," the President said he felt "we could most usefully wait until we have concluded our analysis of it." [Question 5.]

Requested Analysis

It was understood that he had asked White House staff members about two weeks ago to analyze the situation and suggest possible steps to be taken by the President or the Administration.

The question of business morality was prompted by the sentencing of twenty-nine electric manufacturing companies and forty-four of their executives for antitrust violations this week.

Mr. Kennedy said he hoped both Congress and the Executive Branch would concern themselves with conflicts of interest, monopoly and "unmoral practices conducted in the American business community."

Asked whether he thought business should establish codes of ethics as some labor unions have, he remarked that he hoped the union would live up to the "very high standard" of their codes. He said he thought it would be beneficial if business worried about its behavior also.

The President disclosed that he had talked about the regulatory agencies yesterday with Representative Oren Harris, Democrat of Arkansas.

Harris Cool to Change

Mr. Harris was chairman of the Special House Subcommittee on Legislative Oversight which investigated the agencies. He remains the chairman of the House Commerce Committee. He has been regarded as unsympathetic to any Presidental control over the agencies, which are now to a large degree under Congressional domination.

Mr. Landis, in his report last December, said the President should take responsibility for the performance of the regulatory bodies and should have an overseer in his office to help. When Mr. Landis was brought into the White House, it was assumed that he would play this role.

But the President ruled that out today. He said Mr. Landis would "merely * * * work with the White House and with the interested members of Congress who are concerned about improving our regulatory procedures."

The President was also asked what he though of the idea of increasing the size of the House of Representatives from 435 to 450 members. The step has been proposed to reduce the loss of seats that many states will otherwise undergo in 1962.

Mr. Kennedy said the House, in which he served for six years, was already "a large body." But he said he would talk with House Speaker Sam Rayburn about the suggestion.

Legislatures Pay Less Attention To Desegregation

The News and Courier
Charleston, S.C.
Apr. 3-6-61

NASHVILLE, Tenn. (Special) — The school segregation - desegregation issue dominated only two of the 12 Southern and border state legislatures in session during February, Southern School News reports in its March issue. And these two — Georgia and Louisiana — passed bills softening their "segregation or no schools" stand.

For the first time since 1957, Arkansas legislators convened with desegregation in only a minor role, although Gov. Orval Faubus proposed two constitutional amendments on the subject.

Correspondents for the monthly publication of Southern Education Reporting Service reported that the legislatures in Delaware, Maryland, Missouri, Oklahoma, West Virginia, North Carolina, Tennessee, Texas and South Carolina had little, if any, school-race legislation up for consideration.

Another indication of a changing attitude on the issue in the region appeared in a Gallup poll. Gallup reported that its latest survey in the South found that 76 per cent of the persons questioned "say they believe now that the day will come when white and colored persons will generally share the same public accomodations in the Southern states." The copyrighted report noted that only 45 per cent of the Southerners interviewed in 1957 held this view and 53 per cent in 1958.

The same report on the survey said that the change "will very likely be highly unpopular." All Gallup testings of Southern opinion since 1954 consistently have recorded at least 71 per cent in opposition to the Supreme Court ruling in the school segregation cases.

The courts continued last month to be a source of important developments on the issue. President Kennedy figured in two legal moves. A suit seeking to block the use of federal funds for segregated schools named the president and three other federal officials as defendants. Secretary of Health, Education and Welfare Abraham Ribicoff, one of the defendants, has expressed opposition to denying federal aid to segregated schools.

Within hours after the president received an appeal for help from the Orleans Parish school board, the U. S. Department of Justice applied more pressure to end state interference in the New Orelans public schools. New civil contempt proceedings filed against State Education Superintendent Shelby M. Jackson attempt to force him to release state and federal funds to the financially pressed school board and to certify qualified New Orleans teachers.

The scope of the Supreme Court's 1954 ruling broadened in Maryland to cover juvenile correctional institutions. The state's highest court ruled that the Maryland reform school for boys was part of the public education system and subject to the Supreme Court's decision. The Court of Appeals held that the federal court's ruling applied to all forms of public education, "without regard to type of school."

Two federal court suits became moot in February when school officials voluntarily agreed to the plaintiffs' petitions. Two Negro high school students in Fairfax County had filed suit Feb. 16, challenging a ban against their participation in interscholastic sports. The county school board rescinded its three-months-old ban on Feb. 21.

The other moot case involved about 66 "Turk" children who claimed to be of Mediterranean extraction and requested admission to the white elementary schools of Sumter County, S. C. The long-standing suit was revived last year after lying dormant in the federal courts for several years. The school board, which has admitted "Turks" to the white high school for several years, agreed also to let them attend the elementary school.

The school board of Florida's only desegregated district, Dade County (Miami), admitted another Negro to a predominantly white school. The board, which is considering the feasibility of desegregating two additional schools, approved the boy's admission without the public hearings held in previous instances.

The Georgia Legislature's concern with the school issue had continued over from the 1960 session when the controversy then involved a federal court's order for Atlanta public schools to desegregate. The desegregation of the University of Georgia in January gave the problem added importance.

One of the four school bills approved by the legislature and signed by Gov. Ernest Vandiver in February repealed all the old school segregation laws, including one that would have closed any school desegregating. The legislature passed new laws to keep the public schools open and at the same time resist desegregation.

The governor called the bills the "most important. . .to be signed in this century" in Georgia. In addition to repealing the old segregation laws, the new acts provide tuition grants for students to attend private schools, allow local option in closing and reopening public schools during desegregation crisis, revise appeal procedures on the pupil placement plan, and provide, subject to a constitutional amendment referendum, freedom from "compulsory association at all levels of public education."

The Louisiana legislature, holding its fifth consecutive special session on the New Orleans school desegregation, quickly passed seven new segregation measures. The first act — a variation of local option — would permit school boards to close and sell public schools when local voters approve but it made no provision where local voters might favor retaining public schools even if desegregated.

Two bills adopted by the Louisiana lawmakers would reward informers who provide information leading to the conviction of persons paying parents to send their children to biracial schools. An administration leader said he had information of such payments but he did not explain further.

Although segregation - desegregation was not the major issue in the Arkansas assembly, several proposals on the subject caused a controversy. Some opposition developed over Gov. Faubus's two proposed amendments: One would provide for amending the state constitution within a minimum of 33 days instead of the present 20 months, and the other would insure every child a free public education without being required to attend school with another race.

In Texas, the legislature passed a Dallas County bill requiring majority elections for school boards instead of pluralities. South Carolina's Gov. Ernest F. Hollings received criticism from a freshman legislator for omitting a reference to "our way of life" in his address to the legislature.

5 Million Catholics in Public Schools

By Ervin Knoll
Staff Reporter

Some 5 million Roman Catholic children attended parochial elementary and secondary schools in the United States. About the same number are in public schools.

These statistics, acutely disturbing to Catholics who believe in "God-centered education," account for much of the pressure for Federal financial aid to parochial schools.

Some of the Catholic youngsters in public schools are there by preference and others live in areas where no parochial schools exist. But by far the largest proportion would be in parochial schools—if there were room for them.

Despite impressive growth of the Catholic education system in the past few decades, parochial and diocesan efforts have fallen far short of providing facilities and teachers for a rapidly expanding school population.

Though parochial school enrollments have risen at more than double the public schools' rate since 1940, Catholic school administrators often find, in the words of one witness before the Senate Education Subcommittee last week, that "their most unpleasant task is how kindly to compel eager and qualified children out—not to compel them in."

Doorbell Ringing

Commenting along the same lines a few days ago, the Right Rev. Msgr. Frederick G. Hochwalt, director of the department of education of the National Catholic Welfare Conference, declared:

"It's not a matter of our telling parents to enroll their children in parochial schools, but of parents demanding that their children be admitted. We're not ringing their doorbells—they're ringing ours."

In the Archdiocese of Washington, which is not a typical, an ambitious building program has increased parochial high school capacity by 132 per cent and elementary capacity by 147 per cent in the past 13 years. Yet the system faces the need for 178 new elementary classrooms and three new high schools accommodating 1000 students each within the next 3 to 4 years.

A recent spot check of a number of major cities by the National Catholic Welfare Conference revealed shortages particularly acute at the secondary level, with some parochial system graduating two and three times as many elementary pupils as they can make room for in high schools.

Not Only Growing Pain

The lack of classroom space is not the only growing pain afflicting parochial schools. Many of the existing facilities are obsolete and some are dangerous—a situation brought to national attention two years ago when a Chicago parochial school fire claimed about 100 lives.

Massive overcrowding is endemic in the parochial schools. Catholic educators generally do not place as much stress on the value of small class size as do their counterparts in the public schools. But even by thier own standards, the situation leaves much to be desired. In this area and in many others, parochial school classes of 65 pupils or more are not unusual.

40,000 Are Lay Teachers

Teacher supply, too, is increasingly troublesome. Religious orders no longer furnish enough teachers to staff the Catholic schools. This year, 40,000 lay teachers constitute almost 40 per cent of the Catholic teaching force. Within five years, lay teachers will be in the majority, Msgr. Hochwalt said.

At pay scales running at least 5 to 10 per cent below public school salaries, teachers are not easy to recruit. Some come "out of a sense of missionary sacrifice," according to Msgr. Hochwalt, and others commit themselves to several years of parochial school teaching in return for college scholarships. But if all the needed parochial classrooms were built, finding teachers to staff them would be a major problem.

Financed by Gifts

Tuition charges for pupils of parochial schools are nominal—or nonexistent. The schools are financed by donations of parishioners and, at the secondary level, matching diocesan contributions.

The kind of Federal assistance requested this year by the Catholic hierarchy—long-term, low-interest Government loans for parochial school construction—would not go very far toward meeting the schools' needs, even if formidable constitutional and political problems were solved.

But it would be of some help and certainly offer some balm to Catholic parents who complain about "unjust double taxation," and it would defer a controversial step already being discussed by some Catholics—limiting a parochial education to either elementary or secondary grades, and letting public schools do the rest.

So far as most prelates of the Church are concerned, curtailment of Catholic education will not come without a fight. This year, the battleground is the Congress of the United States.

NEXT: Independent schools—no help wanted.

Goldwater Hits Racial Force

GOP Solon, Here for Speech, Gives Views on Integration

By MARGARET SHANNON

Arizona Sen. Barry Goldwater, sounding mighty like a Southerner, said Saturday he does not favor the federal government forcing integration in public schools.

The conservative Republican leader, in Atlanta for a 12-state GOP conference, said he would support a constitutional amendment to return the control of schools to the states.

Sen. Goldwater said he believes the Republican party makes a mistake in "trying to be specific about civil rights" in its platform.

"I'll bend every muscle I have to see that the South has a voice (in the next Republican platform) on everything that affects the life of the South," he said.

THE ARIZONA senator, leader of the conservative wing of the GOP and the most popular Republican today among Georgia Republicans, spoke to an enthusiastic crowd at a luncheon at the Biltmore Hotel sponsored by the Young Republican Clubs.

He was cheered when he was introduced. He drew much applause during a speech that sharply attacked the Kennedy administration, which he labeled "government by buddy."

Sen. Goldwater said the South is turning to the two-party system because the GOP is the "only party where conservatism can be expressed."

He said the liberalism of the national Democratic party has stifled the conservative vein in the Southern Democratic party.

"Why the Southern Democrat had put up with it is beyond my comprehension," he said.

* * *

AT HIS press conference, the senator said that he hoped the Republican party would revenge its stand for federal enforcement of school integration.

He said he believes the U.S. Supreme Court integration decision is right, but he does not think it is "necessarily the law of the land."

Sen. Goldwater, asked about the John Birch Society, said the country has far more to fear from organizations like Americans For Democratic Action. He calls such groups "that left-wing bunch" and declared, "They're the ones raising hell with this country."

Referring to President Kennedy's recent speech about extremists, Sen. Goldwater said:

"If he really wants to find some extremists, he only has to turn around in that rocking chair and the house is full of them."

THE SENATOR told the luncheon audience that the people of the country are concerned about indecision and irresponsibility, particularly of the money kind, in the Kennedy administration.

He said the administration's policies may destroy the economic stability of the United States and "this is the aim of communism."

He added that he doesn't "call these people Communists," but of President Kennedy he said: "I would like to hear him say once—just once—we're going to win over communism."

The senator, a prospect for the GOP presidential nomination in 1964, declined at his press conference to comment on the pending divorce of another prospect, Gov. Nelson Rockefeller of New York. He said it was a personal matter and he "wouldn't want to get into the political ramifications if any exist."

* * *

HE DID VENTURE the prediction, however, that Gov. Rockefeller would not get much support from the South.

Asked how he'd fare in the South, he said he hadn't thought about it "and I'm not going to because I'm not seeking the nomination. I'm going to run for reelection in the Senate, if anything."

Sen. Goldwater, chairman of the Republican Senate Campaign Committee, said he thinks some Southern senators are very vulnerable because they "pose as conservatives at home" and vote as liberals in Washington.

He excepted Georgia's Sen. Richard B. Russell and Sen. Herman Talmadge from the list.

He classified the Kennedy cabinet as generally radical, but said he would have faith in Georgia-born Secretary of State Dean Rusk if he were "left alone, but I don't know how much he gets through."

5 Additional School Areas Desegregate

NASHVILLE — Five school districts, in addition to the 31 previously reported, desegregated during the opening months of the 1961 school year, Southern School News reports in the November issue.

This brings to 36 the number of districts desegregating this fall. It raises to 829 the number of desegregated districts in the 17 Southern and border states, the monthly newspaper stated.

ONE DISTRICT in Florida and two in Kentucky voluntarily admitted Negroes to classes with whites for the first time. Two Delaware districts began operating biracial schools under a general Federal Court order requiring all schools and grades in the state open to Negroes.

A recent survey by Southern School News Correspondents found that the 17 Southern and border states, plus the District of Columbia, have 6,599 school districts. Both white and Negro pupils live in 2,805 of the districts.

14d(1) 1961

GENERAL

School Suits In Dixie As Openings Near

SUITS

(From Wire Reports)

desegregation was won
day in one Florida county,
the NAACP worked toward
ing barriers in another. And
Mississippi word was awaited on
outcome of a suit to end the
rsity's segregation barriers.

Deland, Fla., the Volusia
nty school board voted to in-
rate the all-white Volusia Ave-
school in Daytona Beach
rsday by approving the admit-
applications of two Negro

The board turned down the ap-
tion of a third Negro girl be-
"it does not appear to be in
best interests of the applicant."
applications were approved
the Florida pupil assignment
which went into effect in 1956.
three Negro girls were the
Volusia County to apply
signment to a white school

ignments were okayed for
McMillan, 9 and Dietrich

8-18-61

THE FIRST

Beef will not be the first Ne-
to attend white public schools
Florida. Dade County's Orchard
elementary school and Home-
Air Force Base elementary
were integrated two years
wever, no other schools out-
of Dade County have been in-

daughter of Dr. and
William A. McMillan, has been
ending the Purle Small Negro
and will enter the fourth
at Volusia Avenue.

Millan is dean and registrar
Bethune-Cookman Negro College
Daytona Beach.

The application for McMillan's
daughter, 7-year-old Paula,
denied. The board said an at-
report indicated she
not make the "adjustment"
ing schools.

has been attending the
elementary Negro school
will enter the seventh grade
Volusia Avenue. She is the
of Mr. and Mrs. James
Golden is an insurance
and a minister.

Jeanne Goddard, school
chairman, said the decisions
based upon the "considera-
forth in the Florida pupil
ment law."

SUBMITTED

Tallahassee the NAACP at-
torney Wednesday submitted a desegregation plan for Escambia County schools which would do away with present school zones and assign teachers as well as pupils on a non-racial basis.

Mrs. Constance Motley, an NAACP counsel from New York, filed the proposal with U. S. District Judge G. Harrold Carswell at the opening of a hearing on a desegregation plan already submitted by the county school board. Both were taken under advisement.

Mrs. Motley charged the county plan would continue a policy of racial discrmination which has been in effect for "many years."

She said, in effect, that discrimination would continue as long as separate schools systems were operated for whites and Negroes.

"The Supreme Court says Negroes have a right to attend a non-racial school system," she said "The county's plan is predicated on the idea that a Negro now has a right to apply to attend a white school.

"What they're saying is, 'we'll continue to operate on a segregated basis, but any Negroes who want to raise a fuss can apply to a white school."

Under the NAACP proposal, she said, there "may well be" a number of all-Negro and all-white schools as long as assignments of teachers and students were made on [illegible] non-racial bases as residence.

Herald 2

HAS NO RIGHT

She emphasized that a Negro has no right to attend a white school simply because it is white and has no right to choose what public school he will attend.

P-6

"I think the key word is 'assigned,' not 'choice.' Otherwise, we might have ten thousand children in one school and one child in another school."

Under questioning by Carswell, she said the school board was "under a duty to establish a single, unitary school system organized on a non-racial basis.

"What you have to do is reassign every pupil . . . you have to disestablish segregation practices."

Bert Lane of Pensacola, one of three attorneys for the school board who appeared at the hearing, said there was "no argument that the ultimate" of Carswell's desegregation order was what Mrs. Motley was asking for."

8-14-61

"But we submit that this court is not the place from which to administer the school system," he continued. "The school board must have control over the mechanics of desegregation."

RULING EXPECTED

A federal judge is expected to rule within the next few weeks on a Negro Air Force veteran's suit to enter the University of Mississippi.

Judge Sidney Mize has allowed the state until September 5 to hand in a brief, while giving counsel for the Negro 10 additional days for an answer. A ruling from the court is expected to follow.

The Negro, 28-year-old James Meredith, has sought twice to enroll at the University of Mississippi—first in February, and again for the summer session. The state has said that his applications were incomplete, but Meredith says he was turned down because he's a Negro.

If the federal court issues a preliminary injunction against the state, Meredith is expected to attempt to enroll again.

Mrs. Constance Motley, his attorney will argue a school requirement of five alumni recommendations with applications present a hardship to a Negro, and should not be applied to Meredith.

Slow Progress; but Progress

Four years ago President Eisenhower had to call out Federal troops to sustain a court order for school integration in Little Rock, Ark. Yesterday Negro pupils were enrolled in all but one of Little Rock's seven high schools. Forty-six Negroes went in by the front door. There was no violence. In Pine Bluff, Ark., four Negro children attended the elementary school where only one was admitted last year.

In Dallas, Texas, a twelve-year "stairstep" plan beginning with the first grade has gone into effect without disturbance. This follows an eighteenth-month campaign to accustom the Dallas public to some of the amenities of modern life. A committee of seven whites and seven Negroes worked with an all-white organization of business leaders, the Dallas Citizens Council.

New Orleans, which was the scene of a battle between laws passed by a controlled state Legislature and orders issued by the Federal courts, has opened a two-day registration period for the second year of desegregation. The outcome is not certain, but the New Orleans city government and police are reported ready to prevent the mob scenes which took place last year and in which white as well as Negro children attending integrated schools were jeered at and terrorized. From three cities in Florida—Fort Lauderdale, Daytona Beach and Miami—come encouraging reports of peaceful enrollment of Negro children in newly integrated schools. Prince Edward County, Va., may still be toying with its theory of publicly supported "private schools" for white students only, in spite of Federal court orders to the contrary; but in Richmond, Va., thirty-six Negro students are enrolled in four schools formerly restricted to whites.

The statistics are not imposing. But the trend is clearly toward equal educational rights for all people, even in the Deep South. The development is slow, but it is inevitable; it is difficult, but it is right.

Integration Gains Quietly in South



Associated Press Wirephoto

Lynn Carol McGilvary and Robert Maryus Jackson Jr., the first Negro students to attend West Point (Va.) High School, entering the school building yesterday morning.

Integration spread peacefully in schools in the South and Southwest yesterday. The quiet acceptance of desegregation contrasted markedly with the violence that frequently accompanied it in previous years.

United Press International reported that from Virginia to Texas and from Florida to Arkansas a number of previously all-white schools opened their doors to Negro students in compliance with Federal law. However, most of the integration was on a token basis. In Little Rock, where Federal troops turned out during the 1957 integration disorders at Central High, five more schools were integrated. A white student said:

"We couldn't care less."

School talk was of football, not race, and whites and Negroes mingled freely in the corridors.

Little Rock now has only three public schools, one senior high and two junior highs, still segregated.

New Orleans police kept a watch for possible troublemakers around six former all-white schools as new-student registration was held. The grammar schools, which include the two that were the targets of last year's picketing, were guarded by teams of sixty or more police. The Negro students have already registered in private. Their exact starting date for classes has not been revealed.

The fact that whites registered at five of the schools indicated that the boycott, a feature of last year's protest, might not be so effective this year. However, whites continued their boycott at McDonogh 18, one of the schools interested last year.

At Galveston, six Negro pupils began classes at the Roman Catholic Sacred Heart School.

Officials of the school said that the six were the only Negroes who had applied for enrollment at the previously all white parochial schools.

The Galveston Police Chief, W. J. Burns, said no special detachments of patrolmen had been stationed at the schools.

Thirty-five Negroes will begin classes at previously all white Galveston public schools today. Chief Burns said he does not think there would be any trouble.

In Dallas, a group of Negro first graders who are scheduled to integrate the nation's largest segregated school district today were briefed by principals of the city's elementary schools.

Dallas is under a grade-a-year integration plan, starting with the first grade. Civic leaders as well as school officials expressed confidence that desegregation would be peaceful.

Houston, Austin, Corpus Christi and San Antonio have already integreated schools.

In Virginia, Richmond, Arlington, Norfolk and Fairfax Counties opened some white schools to Negroes. A total of 537 Negroes were expected to be in the schools by the end of the week.

But in Prince Edward County, segregated private education resumed for whites. The county abandoned public school education two years ago to avoid desegregation. Nearly all the 1,700 Negro children of the county began another year of no formal education.

The Prince Edward School Foundation, which operates private schools for whites, opened a modern secondary school building today. Elementary school will continue to be held for whites in six churches around the country.

Foundation officials said they expected an enrollment of 1,392 in the seven schools.

The new school was constructed with private funds.

Mayor W. F. Watkins Jr. of Farmville welcomed students at the school.

"The eyes of the state of Virginia and the whole nation are directed upon you," he said, "and unless you are dilligent in all your studies all will have completely failed."

Negroes have made no plans for similar private schooling but have based their hopes on the outcome of Federal court suits. A Federal court ruled recently the county could not continue to use public funds to finance upkeep of the private schools as long as public schools remained closed.

Some effort has been made to place a small number of Negro children in schools outside the county and state.

Atlanta held its fourth day of school integration yesterday. About 250 persons attended a Ku Klux Klan meeting Monday in a city park. One man was arrested, and Klansmen picketed the homes of the Georgia Governor, the Atlanta Mayor and the president of Georgia Tech, which is also scheduled to accept Negro students for the first time. There are nine Negroes in four previously are white schools.

Fort Lauderdale, Fla., admitted twenty-three Negroes to previously segregated schools. Two Negroes joined white students in school at Daytona Beach. Miami already has integration.

Little Rock Quiet

Special to The New York Times.

LITTLE ROCK, Ark., Sept. 5—Five more public schools were desegregated here today as the new school year started without incident.

Police Chief R. E. Glasscock sent squads of officers to patrol the streets near the segregated schools but they had nothing to do. Most students went into the buildings as soon as they arrived. Few adults were in the areas of the schools.

OFFICIALS POLICE ON GUARD

School Mix Proceeds With Caution

By THE ASSOCIATED PRESS

Additional—but still relatively few—Negroes will enter more previously white schools in Southern states this week with officials cautiously expressing hope that violent resistance to desegregation has been broken.

Alert police will stand guard in Little Rock, New Orleans and Dallas, prepared to quickly quell any disturbance that might flare up.

Tight security measures will continue in Atlanta where the century-old practice of public school segregation ended quietly last week.

No special precautions have been announced in Florida where integration will come for the first time to schools outside the Miami area. No trouble is anticipated.

Mayor Victor Schiro and police announced a goal of peace and quiet similar to that of Atlanta as New Orleans begins the second year of desegregation Thursday.

To prevent angry demonstrations such as those which occurred when four Negro girls were admitted to the Frantz and McDonogh No. 19 elementary schools last year, New Orleans police will barricade those and the four other schools scheduled for desegregation. Orders are to tolerate no disturbances.

Dallas has made extensive plans for its first public school integration. As in Atlanta, business and civic leaders have conducted a campaign to create a climate of acceptance, and the police have laid their plans to quickly nip any disturbance.

Galveston and several other cities also will be added to the list of desegregated school systems in Texas.

Four junior high schools and Technical High School will be integrated Tuesday for the first time in Little Rock where violence brought the National Guard, federal troops and closed schools in 1957 and 1959.

Nine other Arkansas school systems which have been integrated previously also open Tuesday.

More desegregation began without incident last week in Tennessee where violence has erupted in the past. Most of the 11 Tennessee systems now integrating are using the so-called stair step program which originated in Nashville and has been progressing uneventfully since the initial violence.

In Chattanooga, which has no integrated schools, crude fire bombs were thrown at a white school where four Negroes tried to enter two years ago, resulting in a lawsuit which is still pend-

School Officials Hopeful Of Peaceful Desegregation

By THE ASSOCIATED PRESS

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South's Desegregation Spreading Smoothly

By the Associated Press

The gradual, orderly spread of public school desegregation in the South this year continued, there were rumblings of discontent today at Chicago and New Rochelle, N. Y.

The increase in the number of Negroes enrolled with white pupils in the South was relatively small, but was considered significant because such large cities as Dallas and Atlanta were included.

President Kennedy said in Washington that peaceful desegregation in Southern and Southwestern communities was a "dramatic demonstration of United States progress in improving the position of American Negroes."

He congratulated Little Rock and Dallas and communities in Arkansas, Texas, Florida, Virginia, North Carolina and Tennessee for admitting Negroes to previously white schools without incident. Earlier he praised Atlanta for its quiet desegregation of four high schools.

"But most of all," the President said, "I would like to congratulate the children of both races for their mutual tolerance, good will and exemplary conduct."

Praises Conduct

Eighteen Negro children strolled into classes at previously white elementary schools in Dallas yesterday, attracting little attention. Police found traffic control their sole duty during desegregation at what had been the Nation's largest segregated school system.

Galveston, 295 miles south of Dallas, also desegregated kindergarten and first grades without incident when 37 Negroes began classes in three previously white schools.

The predominantly Negro Lincoln Elementary School at New Rochelle, N. Y., ebgan carrying out a court order to eliminate racial segregation.

School Board President Mercyle S. Rukeyser said 267 of the 485 pupils were being transferred to 11 other elementary schools in the city. The other schools ade predominantly white but all but two have some Negro pupils.

It's quiet in Hungary, too, following the revolt . . ."

While attention concentrated on the school situation across the Nation, there were several racial developments in the South.

A Federal judge at Montgomery, Ala., took under consideration a Freedom Rider suit seeking to forbid enforced segragation in buses and bus stations and attacking Alabama's breach of the peace laws.

There was no indication when United States District Court Judge Frank M. Johnson, jr., would issue a ruling, however.

At Jackson, Miss., a ruling by County Judge Russel More indicted the State might attempt to prevent Freedom Riders from serving out their city court sentences.

Judge Moore blocked the attempt of Alexander Anderson, a 33-year-old Negro minister from Nashville, Tenn., to drop his appeal on a breach of peace conviction. The minister later was convicted and sentenced to four months in jail and a $200 fine.

The decision could force about 180 defendants to stand trial in county court or plead guilty. All Riders out on bond have filed for appeal.

The court order was obtained by 12 parents who maintained the Lincoln district had been gerrymandered to include mostly Negro families and that white pupils in the past had been allowed to transfer elsewhere.

Called Liberal

At a news conference Mr. Rukeyser said the New Rochelle situation should not be equated with "those in the South." He said New Rochelle always has been "advanced and liberal" in its racial practices.

At Chicago, another city in which there are no Negro or white schools as such, more than 100 Negro youngsters tried without success to enroll in public schools attended by white pupils.

The Negroes were turned away on grounds that each school admits only pupils who live within its district. This results in some white schools, some Negro and some integrated.

The Rev. S. S. Morris, president of the Chicago branch of the National Association for the Advancement of Colored People, said the next step will be a suit by parents asking "redistricting to achieve the maximum amount of integrated schools."

"We have evidence," he said, "that boundaries are manipulated to perpetuate segregated schools."

Integration of educational facilities took a turnabout at St. Petersburg, Fla., with the enrollment of a white student and the hiring of a part-time white teacher at Negro Gibbs Junior College.

Proceeds Quietly

Gov. Orval Faubus of Arkansas told a Kiwanis Club meeting at Memphis, Tenn., that while desegregation was proceeding quietly at Little Rock "The people don't like it any better than they ever did . . .

27 Districts Desegregate In The South

NASHVILLE (Special) — New desegregation policies took effect in 29 districts in eight states as the South's public schools opened for the 1961-62 year. In two of the 29 districts no Negroes applied for admission to schools with whites so that their schools remain segregated in practice, Southern School News reported in its September issue.

This brought to 810 the number of districts having desegregated their schools in practice or in principle in 14 states and the District of Columbia at the beginning of the eighth school year since the United States Supreme Court desegregation decision of 1954. Three states — Alabama, Mississippi and South Carolina — continue to have complete segregation at all levels of their public education systems. The entire region has 6,663 districts, of which 2,813 have both white and Negro pupils living in them.

Southern School News correspondents reported that districts desegregated before this year will have more Negroes in biracial classes. The number of Negroes in schools with whites will not be known until enrollment figures are reported and tabulated.

Six colleges in the South will admit Negroes this fall for the first time, including two public and four private and church institutions of higher learning. Georgia Tech accepted three Negro freshmen for the fall term, becoming the state's second desegregated public college. Charlotte College in North Carolina, which previously had Negroes only in a special off-campus course, will have two Negroes attending regular classes this session.

The four private colleges changing their racial policies include Davidson College, Duke University, and Mars Hill College, all in North Carolina, and Oklahoma Christian College. Duke has accepted three negroes and Mars Hill, one.

Included in the public school districts initiating biracial schools are two of the region's major cities, Dallas and Atlanta. Of the area's 10 largest cities, only Memphis has not had any desegregation. Fifty Negroes applied for admission to Memphis white schools, but their applications were rejected in August under the state pupil assignment law.

Only eight of the districts desegregating are acting under court orders. The 21 others changed their segregation policies voluntarily.

Atlanta's desegregation drew most of the interest, since it was the first below the college level in a strongly resistant Deep South state. Nine Negroes quietly entered the 11th and 12th grades of four schools under heavy police protection. A 10th Negro, whose transfer request had been approved decided instead to accept a scholarship to a private school.

Virginia has eight districts with new voluntary desegregation policies for this September, more than any other state. The state, which abandoned "massive resistance" in early 1959, now has 19 desegregated school districts, of 128 that are biracial. Another district, Lynchburg, has announced it will adopt a gradual desegregation plan.

The new desegregated Virginia districts and their assignments of Negroes to schools with whites include: Falls Church three, Hampton one, King William County three, Montgomery County two, Newport News 14, Prince William County two, Roanoke County one and Stafford County four.

Justice Dept. Seeks To Enforce La. Desegregation Orders; Judge In Fla. Orders School Bias End

SCATTERED LA. TOWNS DESEGREGATION TARGET

WASHINGTON (UPI)—The Justice Department moved Friday to become an active partner of the courts in enforcing school desegregation orders in widely scattered towns in Louisiana.

Atty. Gen. Robert F. Kennedy announced that the department has asked and received court permission to participate in four Louisiana desegregation cases outside of New Orleans.

At the same time, the department asked the federal district court at New Orleans for an injunction against enforcement of two anti-integration statutes passed by the Louisiana Legislature earlier this year.

In Tallahassee, a federal district judge Friday ordered an end to racial discrimination in the assignment of pupils to schools in Escambia County, heavily-populated industrial and military center in extreme northwest Florida.

Judge Harrold Carswell gave the county school board 90 days in which to submit to the court a plan that would permit gradual desegregation of public schools. Pensacola is the only large city in the county.

It was the first ruling on school integration in this segregation-conscious area of Florida, although a municipal golf course in Pensacola was integrated several years ago without incident.

Only desegregated school in Florida, outside of military bases, is the Orchard Villa school in Miami which was voluntarily integrated

Mixed Schools Attended By 7 Per Cent Of Negroes

NASHVILLE, June 1 (AP)—Almost 7 per cent of the Negroes in the public elementary and high schools of 17 Southern and border states and the District of Columbia attend classes with whites, the Southern Education Reporting Service said today.

In its "statistical summary," it said that out of 3,088,261 Negro students, 213,532 are in bi-racial schools. White enrollment in the region totals 10,173,399.

Ninety-eight per cent of the desegregated Negroes, or 209,224, live in the border states of Delaware, Kentucky, Maryland, Missouri, Oklahoma and West Virginia or the District of Columbia. These states have 14 per cent of the total Negro enrollment, or 436,429.

The remaining 2 per cent, or 4308, in bi-racial schools live in Arkansas, Florida, Louisiana, North Carolina, Tennessee, Texas and Virginia. These states have 51 per cent of the Negro enrollment, or 1,548,136.

There are no bi-racial public schools in the four remaining states with almost 36 per cent of the Negro enrollment, or 1,103,696; Alabama, Georgia, Mississippi and South Carolina.

The reporting service's last summary, in November, 1960, showed 6.3 per cent of the Negroes or 195,625, in bi-racial schools. However, it noted that almost all of the 17,907 gain occurred in the Maryland figures, which jumped by 17,871 because of a change in the method of reporting statistics.

It reported that 13 of the states and the District of Columbia now have 783 desegregated school districts, compared with 777 at the end of 1960. The region has 2813 school districts.

South 7 Per Cent Integrated In Public Schools

NASHVILLE, Tenn. (AP)—Almost seven per cent of the Negroes in the South's public elementary and high schools attend schools with whites, according to the new edition of the Southern Education Reporting Service "Statistical Summary."

The 17-state area, plus the District of Columbia, reported 213,532 Negroes in bi-racial schools or 6.9 per cent of the 3,088,261 Negro enrollment. White enrollment in the region numbers 10,173,399. The Negro enrollment represents 23.3 per cent of the 13,261,660 total enrollment.

Thirteen Southern and border states, and the District of Columbia, now have 783 school districts with desegregation at the elementary or high school levels, compared to 777 districts at the end of 1960. Four states — Alabama, Georgia, Mississippi and South Carolina — have no desegregated school districts, although Georgia is scheduled to get its first biracial public schools in Atlanta next September by court order.

These 783 desegregated districts make up 28 per cent of the region's 2,813 biracial districts — those having students of both races, whether segregated or not. Out of the region's 6,663 school districts, 3,850 are usiracial — either all -white or all - Negro enrollments.

The 783 desegregated districts have an enrollment of 3,106,130 whites and 706,163 Negroes. Although 22.9 per cent of the region's Negro enrollment is in the desegregated districts, only 30.2 percent of these 706,163 Negro students attend schools with whites.

When the last SERS "Statistical Summary" was published, in November, 1960, the region had 195,625 Negroes in biracial schools, or 6.3 per cent of the regions Negro enrollment. Almost all of the 17,907 gain occurred in the Maryland figure, which jumped by 17,871 because of a change in the method of reporting the statistics. The figure previously included only Negroes attending formerly all-white schools but the new summary figure includes Negroes attending with whites in formerly all - Negro schools.

Federal Mixing Action Shunned

Issue Soft-Pedaled By Robert Kennedy

Jackson Daily News

By FRANK VAN DER LINDEN
Daily News Washington Correspondent

WASHINGTON—Attorney General Robert F. Kennedy has indicated that he has no immediate plans to speed school integration in southern states, including Mississippi. Jun 8-7-61

Kennedy told his first press conference he does not "believe" he has the power to file lawsuits for federal court orders mixing white and Negro pupils, on his own initiative.

Also, he said, the administration has made no "final decision" about asking Congress for such authority in a new civil rights bill. P. 1

The bill is "under study" at the Justice Department and "we have had several conferences and conversations at the White House," the President's brother said. Jackson

He said the administration would "vigorously enforce" all civil rights laws in all sections, but he laid heavy stress on protecting Negro voting rights, rather than school desegregation.

His cautious replies to questions indicated to several reporters, that the administration plans to avoid a congressional fight over a civil rights bill at least until 1962, even though the delay disappoints the liberals and Negroes who helped greatly to elect the Kennedy-Johnson ticket last fall.

President Kennedy first wants southern votes to pass his minimum wage, school, welfare, and other "must" bills. He wants no quarrel with Senate Judiciary Chairman James O. Eastland of Mississippi, who has delayed civil rights bills in the past.

Attorney General Kennedy's statements may also explain why Eastland's committee and southern senators generally confirmed him and his Justice Department aides without a fuss.

Sen. Paul Douglas of Illinois, for himself and 17 other senators, recently re-introduced his bill empowering the U. S. attorney general to get the federal court injunctions for school integration on his own motion.

Douglas complained that school desegregation has slowed down to a snail's pace. He said it has gotten nowhere at all in Mississippi, South Carolina, Georgia, and Alabama, and is meeting stiff resistance in Louisiana and elsewhere.

Douglas said school integration will take years, unless Congress makes the Justice Department take over the trouble and expense of filing the lawsuits and thus relieves the individual Negroes and the National Association for the Advancement of Colored People (NAACP). Jackson Daily

Douglas' bill went in without administration support. Sen. Clark and Rep. Emanuel celler of New York were personally selected by President Kennedy, when he was a candidate last fall, to draft a bill carrying out the Democrats' 1960 campaign pledges on civil rights. Jun. 4-7-61

OLD 'PART THREE'

Clark predicted March 18 that the bill would be introduced "within ten days," and Celler said it definitely would include a provision for the attorney general to get the court injunctions for school integration. That was "part three," which the Senate knocked out of the 1957 Civil Rights Act.

However, the Clark-Celler bill is still stalled at the Justice Department.

The House passed "Part Three" but President Eisenhower left it out of the administration's 1959 Civil Rights Bill, which was chiefly confined to protecting voting rights.

y the school board two years ago nly two white children are enrolld, along with several hundred Neroes.

Carswell ruled in a suit brought by the NAACP on behalf of 12 Negro children seeking admission to all-white schools and all others similarly situated.

The suit originally sought complete integration of all classrooms and an order prohibiting assigning of teachers on a racially segregated basis. But Carswell ruled selection of teachers on a basis of color cannot be challenged in a suit seeking desegregation of classrooms and struck that part of the suit last year.

The jurist ruled that the school board now is assigning pupils on a basis of race or color is violation of the U. S. Supreme Court's 1954 desegregation ruling.

He ordered the board to submit for his consideration a plan that would give Negroes an opportunity to apply for admission or transfer to any school for which they are eligible without regard to race or color and that would insure that their applications would be fairly considered.

School board officials, in defending the suit, admtted that Negro

Segregation Story Centers in Courts

The Atlanta Journal and Constitution P. 7 Sun. 4-2-61

The segregation-integration drama in the South was played mostly in the courts and the legislative chambers last month. There was little action on the sidewalks and in the streets of Southern communities, as there has been in the past.

This is the essence of the Southern Education Reporting Service's Saturday report on state-by-state developments on the segregation front in the month of March.

The Negro boycott of Savannah schools provided just about the only bit of sidewalk news. Elsewhere, the action was provided by state and federal courts, governors and legislatures and U. S. Atty. Gen. Robert F. Kennedy.

Perhaps the most formidable action came from the federal government. Federal pressures for increased school desegregation, the reporting service said, came from the courts and the executive department. Atlanta, Ga.

"In Congress, at the same time, the aid to education proposal became embroiled in a controversy over whether federal funds should be available to segregated schools."

The Justice Department reversed a policy of waiting until after trouble develops, and it decided to enter four Louisiana school cases as a friend of the court.

The move, said Atty. Gen. Kennedy, would "assist the court in preventing potentially dangerous and critical situations from coming to a head."

The new attorney general has also adopted a policy of making telephone calls and holding personal conversations with Southern governors on civil rights matters, the service said in its publication, Southern School News. Gov. Ernest Hollings of South Carolina said after one of these talks that Mr. Kennedy is not trying to threaten or warn, just to "forestall civil rights suits and discord. . . ."

* * *

THE NASHVILLE reporting service gave this rundown of March events in major Southern states:

ALABAMA—Gov. John Patterson said he did not want federal education aid if there were strings attached, but he added that the state can hardly afford the school system it needs.

ARKANSAS—A federal court ordered a speedup in desegregation of Little Rock schools.

FLORIDA — A federal judge signed the state's first federal court order requiring a desegregation plan, in Ecambia County.

GEORGIA—Negro students boycotted Savannah schools after the dismissal of a popular principal at one of them.

KENTUCKY — The first white student was admitted to the largest all-Negro school in Louisville.

LOUISIANA—The U.S. Supreme Court upheld three lower court decisions knocking down the state's interposition act and other legislation in the New Orleans crisis.

MARYLAND—It was reported that a third of Baltimore's Negro teachers serve on biracial staffs with more than half of the city's white teachers.

MISSISSIPPI—The state superintendent of education spoke out against closing public schools as a "last resort."

NORTH CAROLINA—Duke University, a large, church-supported school, will admit Negro graduate and professional students next fall.

SOUTH CAROLINA—A private school charter, similar to that used in Prince Edward County, Va., was obtained by Citizens' Council groups in the southern part of the state.

TENNESSEE—The general assembly ended its 1961 session without taking action on any school segregation matters.

VIRGINIA—Early campaigning in the contests for governor and lieutenant governor showed that preservation of the public schools may become a major issue.

House Votes Down Segregation Panel

The House killed a proposal for a super-powered segregation commission Friday after the author's political ambitions were brought into the debate.

The lower chamber voted 72-44 for the measure—31 votes shy of the required majority for passage.

Authored by Rep. John Sheffied of Brooks County, the resolution would have created a Georgia Sovereignty Commission with subpoena and contempt powers.

As explained by Sheffield, the commission would have decided what course was best on the school desegregation question and then drafted laws to carry out its plans.

It also would disseminate information on various aspects of the segregation problem, he added.

"One of the pitiful parts of our present situation," Sheffield asserted, "is the people have such a dearth of information except from the integrationists.

"By this, the people will know the General Assembly has not thrown in the sponge . . . but has just begun to fight," the Brooks solon declared.

Rep Herschel Lovett of Laurens hit the sharpest blow against the proposal when he noted the commission could give Sheffield an "entering wedge" into the 196 lieutenant governor's race.

"In all likelihood, he would be chairman and would get some publicity," Lovett asserted. He added that the commission would let Sheffield "travel all over the state.

"We've already been integrated. There's nothing we can do about it. We hope it will be as little as possible and handled on the local level," Lovett added.

Rep. A. A. Fowler of Douglas, supporting the proposal, asserted that "Georgia is . . . the dumping ground for the Communist apparatus of the Southeast."

Fowler contended that information on Communist connections with the integration movement already had been gathered but was being suppressed. "I don't believe it's going to come out unless somebody puts them on the spot with subpoena powers," he said.

Rep. Talmadge Echols of Upson noted that under the proposal, one member of the commission could conduct a hearing by himself with no money limitation. He attacked its proposal to investigate private schools and to use subpoena and contempt powers.

Rep. Marvin Summers of Crisp supported the plan, asserting that "a fellow that gets TB or cancer . . . doesn't give up." Summers said the Sibley Committee's majority recommendation had not represented the sentiment of Georgia.

And Rep. A'Delbert Bowen of Randolph said Georgia's new school laws have "thrown the localities to the wolves and the NAACP."

Grants-In-Aid Veto Explained By Vandiver

Gov. Ernest Vandiver said Thursday he had vetoed a bill which would have delayed effectiveness of the school grants-in-aid program in Fulton County because the measure might have made the entire grants program unconstitutional.

The governor, holding his third full-scale news conference since December, said he also was considering a possible veto of a bill repealing the controversial college age limit law. But he added he had not yet made up his mind what action he will take.

Vandiver said legal advisers had warned the entire grants-in-aid to students who do not wish to attend integrated schools might be made unconstitutional by the amendment intended to have a special effect on Fulton County. The grants program was part of the governor's open schools package plan approved by the last General Assembly.

The vetoed amendment to the grants bill was an attempt to block activation of the grants-in-aid in Atlanta until after two successive grand juries find that there are adequate funds on hands to put the program into effect, according to the governor.

But constitutional lawyers and other advisers said the amendment might make the entire grants-in-aid law unconstitutional by providing for possible payment to some children while denying it to others.

Vandiver said he would veto a Senate resolution calling for a committee investigation of state government. He said the measure would make it too easy for lawmakers to "harass" state officials.

The governor said that during a trip to New York last week Northern business leaders indicated "keen interest in industrial possibilities in Georgia."

Pupils Here Map Appeal To Transfer

By BRUCE GALPHIN

A "great majority" of the 124 Negro pupils rejected for transfer to white schools here next fall will make appeals to federal court if necessary—a Negro attorney predicted Monday.

E. E. Moore Jr., one of the attorneys associated with desegregation litigation here, said the first step in the appeals would be made within the next eight days.

The first appeal, under pupil placement regulations, must be made to the Atlanta Board of Education.

Many of the pupils will then appeal to the federal court "if they do not get the remedy they seek" from the board, Moore continued.

PLACEMENT UNDER FIRE

Meanwhile, another leader of the Negro community, Jesse Hill Jr., hinted that the pupil placement plan itself might be attacked in court.

Hill declared that the decision of Dr. John Letson, Atlanta school superintendent, to allow only 10 Negroes to transfer next fall was a "rigid" use of the pupil placement regulations.

He indicated that if more Negroes had been approved, Negro leaders might be content to let the placement plan operate without challenge.

But, Hill added, "the rigidity with which they have handled it is going to result (in the long run) in more desegregation than the Negro community contemplated.

STILL BEFORE COURT

The comparatively low number approved, Hill asserted, "is not in the spirit of the 1954 decision."

The Atlanta school case is technically still before the U.S. District Court here.

Originally, Negro leaders announced that they would appeal Judge Frank Hooper's approval of the pupil placement plan submitted by the Atlanta Board of Education. Later, they decided not to appeal.

But Moore explained Monday that dissatisfied students could intervene as interested parties in the original case.

One of the objections of Negroes to Letson's decision apparently centers on the use of academic achievement tests in screening Negro applicants.

Hill said that many white students rank below the "cut-off" grade used by Atlanta school officials in screening Negro transfer applicants.

(The question of academic achievement as a factor in transfer applications received a direct test in an Alexandria, Va., case. The federal court there upheld the school board's rejection of eight Negroes on academic grounds but ordered three other Negroes admitted when it was determined that some whites in the classes in question were on or below the Negroes' level.)

Negro Pupils Selected To Start Atlanta School Desegregation

Ten Included In First Group

Atlanta, Ga., June 6—Ten carefully screened Negro students have been selected to begin Georgia's first public school desegregation program.

The seven girls and three boys whose career ambitions include medicine, archaeology and engineery, survived a series of rugged screening tests given to 134 Negroes who sought transfer to white high schools.

The group made "excellent scores" on academic, achievement and personality tests and "very favorable impressions" in personal interviews with school officials said Deputy City School Supt. Rual Stephens.

Under a federal court-approved desegregation plan, the Negroes will variously attend four previously all-white high schools, Brown, Grady, Murphy and Northside, during the fall term beginning Aug. 30. The plan, criticized by Negro leaders as a stalling tactic, provides for gradual integration beginning with the 10th and 11th grades this year.

Stephens mailed notices of acceptance Saturday to the Negro students, who also had "outstanding academic records" in their current schools.

"I'm very enthusiastic. I'm looking forward to the fall," said Rosalyn Walton, 16, who wants to become an elementary school teacher.

Lawrence Jefferson, 17, said "just as if any school I think there will be an adjustment in making new friends. It may be a little tough the first two weeks, but I don't expect much trouble."

Damaris Allen, 16, also expected "some difficulty in adjustment, but not much."

Along with the 124 rejections to the Negro students seeking transfer went one to a white girl who asked to be reassigned to a fully segregated school from Northside High.

More Schools Now Using Advanced Placement

More than 400 colleges and universities, exceeding one-quarter of the total, are using the Advanced Placement Program, the U. S. Office of Education announced Wednesday. The program permits superior high school students who have done college-level work to receive credits, upon enrollment, which may shorten the time necessary for obtaining their Bachelor's degree.

In addition, the Office of Education said in a new publication, "Advanced Standing," some high schools permit students of superior ability to take courses in nearby colleges and universities while they are completing high school.

"Advanced Placement is an attempt to gear education to the capacity of the individual student," U. S. Commissioner of Education Sterling M. McMurrin said.

"Under Advanced Placement, students who qualify according to the rules of the college they select literally skip college work for which there has been adequate coverage during their high school years."

The publication, written by Shirley A. Radcliffe and Winslow Hatch

Local Bias On Student Fund Is Hit

BY MARVIN WALL

The charge that local school boards in Georgia are discriminating against Negro pupils in passing out maintenance and operation funds was repeated here Monday.

Claude Purcell, state schools superintendent, said he will call the complaint to the attention of Georgia's 198 city and county school superintendents.

Purcell also commented that he is sure the handling of maintenance and operation will be discussed at a meeting of the State Association of School Board Members in August.

REPEAT BIAS CHARGE

The charge of discrimination against Negro schools was made to the State Board of Education last week. It was repeated here Monday by the Georgia Conference on Educational Opportunities.

The conference adopted a resolution urging the State Board of Education to immediately set up regulations "safeguarding" the use of state-allocated maintenance and operation funds by local school systems for both races.

The conference is a bi-racial group formed in 1958 with a concern about Negro education in Georgia. The conference last year published a study called "Georgia's Divided Education" which charged widespread discrimination in schooling provided for Georgia Negroes.

GET ONLY FIFTH?

Among other things, the study said Georgia's Negro schools get only one-fifth of the money spent for maintenance of school buildings.

The discrimination charges were put before the State Board of Education last week by L. H. Pitts, executive secretary of the Georgia Teachers and Education Association, representing the state's 10,000 Negro teachers.

Purcell pointed out Monday that the maintenance and operation funds aren't earmarked by race. It would be difficult to do so, he said, because it costs more to maintain some schools than it does others.

It would be up to the state board to change the regulations, Purcell added. The policy as far as state funds are concerned is "to provide equal treatment without discrimination."

MONY SELF-INSURED

Purcell pointed out that many Negro schools are newly constructed through the State School Building Authority and thus are self-insured through the authority.

Purcell said two authority staff members are constantly making inspections to see whoch schools aren't getting proper maintenance, and copies of these reports go to local superintendents.

The state sends local school superintendents $450 a year for each state-allotted teacher for maintenance and operation.

The Conference on Educational Opportunities also urged immediate action by the State Board of Education toward providing a state-operated vocational school for Negroes.

RARE COURSES

Pitts said the state-operated vocational schools at Americus and Clarksville offer a half-dozen or a dozen courses not available anywhere in Georgia to Negroes. The two schools also have dormitories, he noted.

Purcess commented later Monday that there has been some discussion about the state building dormitories at or near a $3 million area thade school for Negroes to be built here. This school will be larger than the Americus and Clarksville schools and would provide a wider assortment of courses, Purcell said.

Eleven Negro trade schools and 20 white trade schools are being built around the state with $11 million in state money and an equal amount in local funds.

Other possible sites for a state-operated Negro vocatiinal school have been studied, Purcell reported.

Atlanta's Pupil Placement Plan Explained To Public

This article and two other articles to follow are available in mimeograph form for distribution to persons interested in an interpretation of pupil placement. Write or call the Atlanta Branch, NAACP, 236 Auburn Avenue, N.E., Atlanta 3, Ga., phone: MU. 8-6064. It was furnished under the auspices of the Atlanta Branch Education Committee, Dr. Samuel W. Williams, president; Dr. Tilman C. Cothran, chairman, and written by Dr. Amos O. Holmes, Georgia field secretary, coordinator.)

ARTICLE I.

Since the Federal Court decision in the spring of 1960, approving a submitted plan of desegregation by the Atlanta Board of Education, not much has been said about the public's role in the implementation of the plan. Pupil Placement in the Atlanta Public Schools is a two - way proposition. Both the Board of Education and the public have important roles to play. The parents and pupils who may benefit from use of the plan must provide leadership, must cooperate, and most of all, must apply for transfers.

What aspects of planning need attention now? Dr. John Letson, Atlanta School Superintendent, and the Atlanta Board of Education have been planning their roles for carrying out a plan of desegregation for some time. On April 10, an announcement was made in the press that their plans would be released before May 1, when the court plan goes into effect. The Education Committee has expressed to the Board of Education and the Superintendent of Schools their disapproval of the idea of waiting until May 1 to release application forms for assignment and other details about how the board will proceed with the administration of the plan.

Further, the school superintendent has directed public school discussions of the subject of good deportment during the desegregation period. All of this is good. Much more planning is taking place and announcements will be made at the proper time.

CONSIDERATIONS SUGGESTED

What are the roles of high school students, their parents, PTA groups, and the community at large? The NAACP is suggesting the following considerations:

1. That the social and community clubs, fraternal groups, voter registration groups and church groups, voluntarily assume the responsibility for interpreting pupil placement to parents and youth in the 10th and 11th grades. Information and speakers are available through both offices of the NAACP. Information may also be acquired from the Atlanta schol superintendent, Dr. John Letson, City Hall, and the High Schools in the several communities.

2. Participate in every interracial discussion of pupil placement and assume responsibilities for interracial communications for peaceful desegregation.

3. Determine if Pupil Placement offers advantages to you.

If so, apply in the following manner:

May 1-15, pupils or parents of pupils may acquire forms for pupil placement from the High School where the pupil is enrolled, or other places designated by the school superintendent. Applications must be typewritten or written in ink, and must be filed for each pupil and must be signed by both parents, or the legal guardian. The application must be notarized by a notary public. The application must be filed with the school principal or at any other place which the superintendent of schools designates.

What should determine your eligibility to apply? Pupils should apply for placement on the basis of any reason which seems good to you, regardless to whether that reason is specifically enumerated in the eighteen (18) factors of the Pupil Placement Plan or not.

Generally, however, the most plausible factors which should be considered by pupils who apply are as follows:

1. Residence near or in close proximity to a school.

2. The most direct or more easily acquired transportation to the specific school.

3. The pupil's academic grades should be average to superior, and his comparative achievement level should be with the upper half of his present class.

4. Overcrowding in your present school or class and less crowding or less teacher - load in the school of which you wish to apply.

5. Choice of another school based on available courses in that school which are required for certain vocational preparation.

6. Pupils no wenrolled in 10th and 11th grades may apply for assignment in the 11th and 12th grades.

NEXT ARTICLE, "Hearings on Applications and Appeals."

No Negroes Appeal Transfer Denial Yet

No Negroes have yet appealed their failure to win transfer to white schools next fall, school officials said Wednesday, but an appeal is planned for a white girl seeking to escape desegregation.

The white girl, Sandra K. Melkild, a junior at Northside this year, was turned down for transfer to Dykes High School.

Northside will admit three Negroes next fall, but none sought transfer to Dykes, which is located at the northern extreme of the city.

Miss Melkild's father, William E. Melkild, contended Wednesday that she was turned down because school officials did not want to make a precedent of allowing whites to transfer to avoid desegregation.

Miss Melkild gave "freedom of association" as her reason for asking transfer. Her father said he would appeal to the "highest authority."

So far, neither Miss Melkild nor the 124 rejected Negroes have formally filed appeals with the school board. They have until next Tuesday to do so.

Ten Negroes were accepted for transfer next fall.

Negro attorney E. E. Moore Jr. said earlier this week that a "great majority" of the other Negroes probably would appeal.

40 Negro Students File Appeals for Transfers

BY BRUCE GALPHIN

Appeals from 40 Negro students rejected for fall school desegregation were filed Tuesday before the deadline fell.

In identical statements filed by their attorneys, each student contends he was rejected by Atlanta School Supt. John Letson solely on a basis of race.

The appeals will be heard by the Atlanta Board of Education. No time has been set for the hearing.

Most of the appellants requested the four schools already desegregated by Letson's decision June 3: Brown, Grady, Murphy and Northside.

One sought Smith-Hughes, three West Fulton and one listed "South Fulton"—evidently a typographical error, since South Fulton is not in the Atlanta system.

Attorney E. E. Moore Jr. brought the appeals to the City Hall offices of the Board of Education about an hour before offices closed. Tuesday was the final deadline for appealing Letson's decision.

No other appeals from Negroes were filed during the 10-day period.

The only white student who sought transfer (Sandra Melkild, who sought to move beyond the range of desegregation) also filed formal appeal of her rejection Tuesday.

Moore said, at present, he planned to attack the pupil placement plan only as it was applied by the superintendent.

FEDERAL APPEAL?

But he did not rule out the possibility that the whole plan might be attacked in federal court.

The form appeals contend that each appellant was "objected to tests not applied to white students assigned or promoted to grades 11 and 12. . . ."

They further contend that "no reason" was given to the rejected students.

The appeals were signed by Moore, Donald L. Hollowell and A. T. Walden.

A total of 134 Negroes applied for transfer next fall. Ten were approved, 124 rejected. The screening process included several series of standardized tests.

Moore said he had not screened the appellants as to test results. The 40 include at least some who did well in the tests, he said.

Letson, who under the pupil placement plan made the original decision on the applications, declined comment.

He did say, however, that the same screening tests were given to Negro and white transfer applicants.

Unless specific requests for transfer were made, he said, students were automatically reassigned to their present schools.

LONG PROCESS

The appeals process may stretch out for a long time.

Moore said that as he understands the pupil placement regulations, there will have to be two hearings before the Atlanta Board of Education.

Then, if any appellant is dissatisfied, he would have a right to take his case to U.S. Court, Moore contended.

Letson disagreed, however.

The superintendent said that although he is not an attorney, "in my opinion" the appeal would have to be carried to the State Board of Education before administrative remedy is exhausted.

Those appealing and the schools they seek to attend are:

SCHOOL SWAPS OKAYED FOR 10

4 Schools Here to Integrate; No Signs If Negroes Satisfied

By RALEIGH BRYANS

Atlanta's historic step Saturday of accepting 10 Negroes for admission to previously all-white high schools marked the beginning of a new era in Georgia education.

The city school system, on the basis of the action Saturday, will become the first system in the state to desegregate when schools open their doors on Aug. 30.

The acceptance of the 10 carefully chosen Negroes came in compliance with a federal court order that the city desegregate its schools.

THERE WAS NO immediate indication approval of the 10 students will be fully acceptable to the Negro community.

In accepting the 10 Negroes, the school system rejected another 124 who had applied for transfer to currently all-white schools. Those rejected have a right to appeal school officials' decisions within the next 30 days.

Also, Negro leaders have complained that the court-approved desegregation plan under which the 10 Negroes were chosen was in fact a plan for keeping down desegregation.

* * *

THE 10 NEGROES who made the grade are Madelyn Nix, Daharis Allen, Thomas F. Welch, Lawrence Jefferson, Mary McMullen, Martha Ann Holmes, Rosalyn Walton, Willie Jean Black, Donita Gaines, Arthur C. Simmons.

They will variously attend four previously all-white high schools —Brown, Grady, Murphy and Northside.

* * *

THE 10 WERE the survivors of a tough screening process in which they had been tested for academic achievement, basic intelligence, personality adjustment and other factors, such as how near they lived to the school to which they sought transfer.

All of the 10, in the words of Deputy School Supt. Rual Stephens, "have outstanding school academic records, made excellent scores on the test given them and made very favorable impressions" when they were interviewed by school officials.

* * *

SOME OF THE 10 Negroes were accepted in spite of the fact that their residences are nearer their present schools than the schools they asked to attend.

School officials said that in such instances there were factors of "overriding importance" which figured in the decisions to accept the students.

In one instance, a youth aspired to go to the Naval Academy at Annapolis and was unable to get the ROTC training or special college-preparatory courses in mathematics and physics at his present school.

* * *

THE SCHOOL system put notices of acceptance in the mail to the 10 Negro students but Dr. Stephens also sought to notify all by telephone of their acceptances.

Rejection notices also were put in the mail to the 124 Negroes who had failed to surmount the hurdles provided in the court-approved desegregation plan.

* * *

SUPT. JOHN W. Letson had made the final selection of the transferees prior to Saturday and got at least tacit approval of his decisions from members of the Atlanta Board of Education.

The school board, however, took no action officially since it is the body to which appeals from the decisions of the superintendent eventually will be made.

SCHOOL MIXING PEACE IS GOAL

ATLANTA (UPI) — An organization headed by civic and religious leaders has been actively working since last February toward the peaceful desegregation of Atlanta's public schools, it was disclosed here.

The organization, known as OASIS—Organizations Assisting Schools in September—has contacted about 1300 civic, social and religious leaders in the Atlanta area to ask their co-operation.

OASIS has asked these leaders to pass on to their members "the facts of the Atlanta plan, its effect upon our public school system and the contribution each individual can make toward maintaining the good will and responsible citizenship for which our city is noted."

The Atlanta school system is under federal court order to gin desegregating its schools this coming September—starting with the 11th and 12th grades. May 1 was the opening date for Negroes to apply for transfer to white schools and 123 did so.

OASIS general chairman Mrs. Philip Hammer, a leader in the Georgia League of Women Voters, said invitations were sent to the governing bodies of every major group in Atlanta and 46 city-wide organizations responded. It was a meeting of representatives of these groups that OASIS was born, she said.

"OASIS plans to step up discussions and meetings throughout the summer so that when schools re-open next September, every citizen will become familiar with the facts of desegregation and the role he can play in insuring responsible compliance with the law," Mrs. Hammer said.

Obey School Edict, Atlanta Bar Asks

By BRUCE GALPHIN

The governing body of the Atlanta Bar Association called on all Atlantans Friday to abide by the federal court's school desegregation orders next fall and maintain the peace.

"There would be chaos and anarchy if each citizen were free to choose which decisions of the courts he would obey," an official statement of the group's executive committee declared.

The statement, adopted unanimously by the executive committee, was the strongest position yet taken by the group on the school question. Previously it had endorsed open-school legislation.

A spokesman explained that the committee had decided several weeks ago that a clear-cut statement of law was necessary because:

1. The public was being misled by statements of self-styled constitutional authorities.

2. The full impact of desegregation would be coming home to Atlantans when the School Board in June announces assignment of Negroes to formerly all-white schools.

The executive committee chose what it called a "blue-ribbon" panel to draft the statement. Those chosen were Robert B. Troutman Sr., chairman; Edward S. White, Randolph Thrower, Robert B. Sams, F. M. Bird and Joseph L. Abraham.

The statement follows:

"The U.S. District Court sitting in Atlanta has entered an order which ends compulsory segregation of the races in the Atlanta public schools. It will become effective upon the reopening of the schools in September. The questions decided in the case have been before the courts for a long number of years and have been determined by the Supreme Court of the United States, in litigation, in which all parties at interest were heard.

The District Court had no choice in the matter. The judge adopted the only course open to him in conformity with his oath of office and in conformity with controlling law.

"It is no longer a matter of preference or choice. The judgment is conclusive and binding. It is the fundamental law under our constitutions and under our American system.

"We remind every citizen of the fundamental fact that our very lives, our liberty, our rights to our homes and other property are dependent upon our system of law. Obedience to the decisions of our courts, which protect these rights, is the heart of our system. This is true whether an individual agrees with the court or not. There would be chaos and anarchy if each citizen were free to choose which decisions of the courts he would obey.

MUST BAR HATRED

"Civilization cannot exist without order, and order cannot be maintained without law. Atlanta, as a great and civilized city, is dependent on the determination of its people to avoid the hatred, bitterness and destruction that accompany lawlessness, and the fear and insecurity generated by disrespect for law.

"We recognize the special responsibility of lawyers to encourage respect for law and for our courts. The Atlanta Bar Association, therefore, calls upon all persons in this community to conduct themselves as good citizens, to obey the order of the District Court, and to give sincere help to our school officials as they endeavor to perform their difficult duty under it."

Support School Board, Group Asks Churches

The Atlanta Constitution

Peachtree Road Methodist Church, in a strongly worded resolution, has called on members of "all church organizations" to support the Atlanta Board of Education in peaceful discharge of its desegregation program.

The resolution, adopted unanimously by the official board, was introduced by Georgia Supreme Court Justice T. Grady Head, chairman of the church's Christian Social Concerns Committee.

The resolution notes that the desegregation order "cannot now be appealed, vacated, reversed or set aside."

It declared that public schools are needed to provide basic educational opportunities to young people, to promote economic growth and to defend the country against overthrow.

Thurs 6-8-61

"As lay members of a large church organization," the resolution continued, "we believe that there are no problems growing out of our complex society that cannot be solved justly and fairly by men of good will regardless of race. We believe that any attempt to solve such problems in any manner other than by the applicable rules of law or by voluntary agreement of all interested parties is contrary to the best interests of all our citizens.

"We believe it is the duty of every member of all religious groups not only to abstain with the acts and decisions of the Board of Education, but that all church members and organizations by affirmative action should support the duly constituted authority . . . whose responsibility it is to comply with the judgment and decree of the court in the admission of qualified Negro students. . . ."

U.S. Rights Director Offers Help to City

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The Atlanta Constitution

By BRUCE GALPHIN

The U.S. Justice department's civil rights chief at a closed-door conference here last week offered Atlanta full cooperation to assist in next fall's school desegregation. The Constitution learned Monday.

The parties involved declined to give details, but Atlanta city and school officials apparently reported that they expected to be able to handle the situation themselves.

SIEGENTHALER ATTENDING

Among those who attended the conference were Burke Marshall, chief of the civil rights division; John Siegenthaler, administrative aide to Atty. Gen. Robert Kennedy and President Kennedy's personal representative during the Montgomery "freedom ride" disturbances; Mayor Hartsfield; Atlanta School Supt. John Letson; Atlanta Police Chief Herbert Jenkins, and other law enforcement officials.

In Washington, Justice department information director Ed Guthman, in answer to a query by The Constitution, confirmed the fact that the meeting had taken place.

DESCRIBED AS INFORMAL

"There was no attempt to keep it a secret," he declared.

Guthman described the session as informal, designed largely to "establish communications" and to determine "where the department of justice could possibly be of aid."

The information official also revealed that Marshall and Siegenthaler had visited several other Southern cities for similar purposes during the same trip.

Guthman explained that the visits are part of the department's policy of keeping informed on potential civil rights trouble spots and trying to prevent any disorders.

(Siegenthaler himself was in Montgomery on such a mission at the time the Montgomery bus riots erupted. He was clubbed on the head by one of the rioters.)

Letson was at a National Education Association convention in Atlantic City, N.J., Monday and not available for comment.

Jenkins said he did not believe it would be proper for him to reveal what happened at the meeting since the city had not initiated it.

Ga. Ave. School Renamed To Honor Peter J. Bryant

14d(1)

Many local dignitaries were present Sunday on the site of the Georgia Avenue Elementary School for the formal exercises of re-naming the school to The Peter James Bryant Elementary School.

Among those present and charged with giving remarks on the program were Jesse O. Thomas, Chairman of the Georgia Conference on Education, Opportunities; Dr. Louie D. Newton, Pastor of the Druid Hills Baptist Church, and Atlanta Public School Superintendent Dr. John W. Leston.

Dr. Benjamin E. Mays, President of Morehouse College, delivered the principal address. This was followed by the unveiling of the portrait of Rev. Bryant by Attorney A. T. Walden, and its presentation by Mrs. Elizabeth Whitehead. John Dickey, representing the student body, accepted the poitrait.

Also on the program were the Revs. Homer C. McEwen and L. M. Terrill, with the Rev. William Holmes Borders, presiding.

Peter James Bryant, for whom the Georgia Avenue School was renamed, was a dynamic minister during the 1920's and third pastor of Wheat Street Baptist Church.

He was recognized as an outstanding religious, political, and civic figure of his time, with a special gift as an orator. Rev. Bryant came to Atlanta in April of 1898, and pastored here 31 years before his death in August of 1929. He started building the present Wheat Street Baptist Church edifice, but death called him long before its completion.

School Site Awaiting Appraisal, U.S. Okay

The Atlanta Constitution

620

College Park officials who have met with the Fulton School Board are still unable to guarantee sites for a proposed Negro high school and a Negro elementary school.

Thurs. 8-3-61

Wayne Moore Jr., city manager-engineer for College Park, said a proposed 17-acre site in the center of the city's urban renewal area still offers the best location the city can suggest for the high school, but final approval of the site by federal authorities and a second appraisal of the land's value are still holding up building plans.

Atlanta, Ga.

Moore said at a Tuesday meeting that a first appraisal indicated the board would be able to purchase the site on Princeton and McDonald Roads for about $50,000 the approximate price the board is willing to pay for the land.

SECOND SITE

Moore also said he will consult planners to see if they can include an additional 10 acres near the high school site for the purpose of building the elementary school. The two schools will cost an estimated $1.2 million.

A stepped-up schedule in the urban renewal development program, could allow the board to begin building in January, Moore said, if plans are approved by the federal authorities.

He said h ethinks a second appraisal of the area will indicate a property cost to the board about the same as the first appraisal. He could not give guarantees, however, of this nor of final approval of the sites under consideration.

Moore pointed out that planners, the City Council and residents favor placement of the schools in the center of the 120-acre urban renewal site which is one parcel of a four-parcel area being considered for renewal.

DELAY FEARED

The board, anxious to meet a fall 1962 completion date for the schools, now has gloomy prospects of delayed completion. The board has been seeking the two building sites for two years.

Board President W. L. Robinson hinted that a Negro group has already threatened attempted integration of white schools unless the new facilities are built to meet present needs.

Negro high school students are presently being transported from College Park to South Fulton High School.

The board deferred all action on building plans until Aug. 10, when it will meet again with Moore, federal officials and planners.

Douglas MacRae, assistant superintendent of education for Fulton Schools, reported that two elementary schools will begin an experimental non-graded primary project this fall. The program will advance students according to their abilities, through the first three grades. There will be only one promotion, at the end of the third year.

TAKES PRESSURE OFF

MacRae said the pressure of yearly promotions is taken off parents, teachers and students by the new technique. He said some children will achieve desired proficiencies in two years, others in three years and some in four years.

He said the program tries to recognize that children reach physical and psychological readiness to perform at different times. The two schools, Hopewell in North Fulton and Cliftondale in South Fulton are among 20 in the state which have been given $2,000 grants for the program.

MacRae also said three high schools, Hapeville, Headland and the new North Springs High School in Sandy Springs, have been awarded $4,000 grants for the academically talented. The grants will be used largely, for teaching special technical reading skills, MacRae said.

14d(1) 1961

GEORGIA

SEPTEMBER

ATLANTA*

KKK ANTI-INTEGRATION RALLY

KKK Segregation Rally Attracts 250

ATLANTA (UPI) — About 250 persons attended an anti-integration rally sponsored by a local Ku Klux Klan group in a city park Monday night. One person was arrested in a brief scuffle with a policeman.

Calvin F. Craig of Atlanta, who said he is president of the United Klans, Knights of the Ku Klux Klan, made a brief speech, Attorney James Venable was the main speaker at the rally.

Craig was detained briefly by police last Wednesday when four Atlanta high schools were desegregated. Craig was spotted in front of one of the schools but was released when he said he was making a routine delivery in his laundry truck.

Police Capt. R. E. Little said he arrested Roy E. Frankhouser of Reading, Pa., at the rally in Almand Park.

Little said he approached Frankhouser, who said he was a member of the National States Rights Party, to question him about a tear gas pistol he was carrying. Frankhouser kicked him in the shins, Little said.

The Pennsylvania resident was booked on charges of assaulting a police officer.

Earlier Monday, white - robed Klansmen picketed the governor's mansion, the home of Atlanta Mayor William B. Hartsfield and that of Georgia Tech President Edwin A. Harrison.

Georgia Tech has announced it plans to admit Negro students this year.

ATLANTA
DENIED- PRIVATE SCHOOL TUITION GRANTS

All Tuition Grants Vetoed by Letson

The Atlanta Constitution
P. 1

By BRUCE GALPHIN

Atlanta School Supt. John Letson revealed Friday that he has turned down all applications for private school tuition grants.

The supernitendent said, in effect, that under present circumstances it would take a court order to change his mind.

30 REGISTERED

More than 30 applicants were informed of the rejections by mail.
Atlanta, Ga

Letson said the letters went out before Gov. Vandiver's announcement that he was activating the tuition grant program. But the governor's action has not changed the legal situation, the superintendent added.
Sat. 8-12-61

He explained that school lawyers had advised that since no currently available funds were earmarked for grants, board members might incur personal liability if any were paid out.

NO MONEY ALLOTTED

Though, "activating" the grant-in-aid program, Vandiver did not allot any more money to pay for it. He said grants would have to come out of funds already allotted to school boards or from local taxes.

"We see no legal way to pay out this money unless there is a legal clarification," Letson said Friday. He added that a court order would be the only acceptable clarification.

The Atlanta
The tuition grant law states that the grants will be available to any Georgia school-age child who wishes to attend a private nonsectarian school. It makes no reference to segregation or desegregation.
Sat. 8-12-61

Vandiver in his "activation" order said the grants should be given only where the child is seeking education under "absolutely intolerable conditions."

"I don't know what 'intolerable conditions' are," Letson commented Friday. "I'll consider each application on its merits and will consider absolutely intolerable conditions."

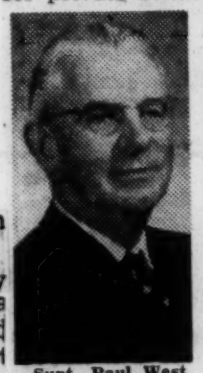
Gov. Vandiver followed that up by declaring that local systems would have to finance grants they approved from funds already allocated to them plus local tax money.

"We know of no intolerable situations in Fulton County schools," Mr. West said.

Fulton Board Denies Private School Grants

P. 4 Sun. 8-13-61
The Atlanta
Journal and
Constitution

The Fulton County School system has denied all applications for private school tuition grants.



Supt. Paul West

Supt. Paul West said Saturday that letters have been sent to the 30 applicants rejecting their requests for tuition grants.

The reason given was the same as that advanced by the Atlanta School System in turning down its applications.
Atlanta, Ga

School attorneys advised the Fulton Board of Education that since there were no funds earmarked for the grants, board members might incur personal liability if any were paid out.

* * *

THE FULTON COUNTY and Atlanta letters went out before Gov. Vandiver announced he has authorized the State Board of Education to provide tuition grants "to be decided upon the basis of whether the student is striving for an education under absolutely intolerable conditions."

Gov. Vandiver followed that up by declaring that local systems would have to finance grants they approved from funds already allocated to them plus local tax money.

"We know of no intolerable situations in Fulton County schools," Mr. West said.

The Atlanta Constitution

Federal Judge Orders State School Board Not to Transfer Coed

Hearing Set For Friday By Hooper

By BRUCE GALPHIN

The State Board of Education was restrained by a federal court order Tuesday from carrying out its decision to allow a white Atlanta girl to transfer from a desegregated school to a segregated one.

U.S. District Judge Frank Hooper Jr., who issued the order, restrained the state board from "taking any further action tending to cause the Atlanta Board of Education to violate the previous orders and judgments of this court in said case."

The judge ordered the members of the State Board of Education to appear at a hearing at 10 a.m. Friday to show cause why they should not be made parties to the Atlanta school desegregation decision and why their order in the case of the white girl should not be vacated.

WITHOUT HEARING

Hooper's order was entered ex parte—that is, without a hearing—because he said there was not sufficient time for service on the state board members Tuesday.

Attorneys for the Atlanta board presented their petition to Hooper at his home.

The judge's restraining order was the latest in a series of lightning-swift developments in the case of Sandra Melkild, who has sought transfer from Northside High School, which is about to be desegregated, to all-white Dykes High.

Her request was rejected by Atlanta Schools Supt. John W. Letson and by the Atlanta Board of Education. But last week the state board ruled that Atlanta officials had "abused their discretion" in the decision and ordered the city board to grant the transfer.

REFUSED TO RECONSIDER

On Monday of this week, the state board refused to reconsider its decision, despite arguments from Atlanta school attorney A. C. (Pete) Latimer that the decision would destroy the principles of local control and pupil placement.

Only a few hours later, the Atlanta board directed its attorneys to refer the matter to federal court.

In a petition filed late Tuesday afternoon with Judge Hooper, school attorneys asked merely for "an order of clarification" in the Melkild case and "others of a similar nature."

State school board members had mixed reactions to Judge Hooper's order. Members' comments ranged from "mild surprise" to "nothing a federal court does is surprising." One board member, Francis Shurling of Wrightsville, said, "I don't like to be placed in the I-told-you-so category, but . . ."

The school board's petition set forth the history of Hooper's order banning the practice of racial segregation in Atlanta schools, and of the Melkild appeal.

"The ruling of the State Board of Education in light of the pupil assignment plan approved by this court places the Atlanta Board of Education in a position of extreme doubt as to its rights, duties and obligations in the administration of said plan," the petition said.

It further contended that the question raised by Miss Melkild "should be heard and determined prior to the opening of . . . schools so that the defendants . . . may know what course of action to follow on this application for transfer and any other transfers of a similar nature which may come before the board at a future date."

SERVICE ON 10

Hooper's order stated in part:

"It appearing that the members of the State Board of Education . . . are alleged to be necessary parties to the determination and decision of the issues presented, it is ordered that a copy of the petition and of this order be served upon . . . (10 members named) . . . individually and as members of the State Board of Education . . . and that they show cause before this court at 10 a.m. on the 18th day of August, 1961, why they should not be made parties to this cause and why the order of the State Board of Education in the case of Sandra Melkild should not be vacated.

ENFORCEMENT BARRED

"In the meantime, and unless otherwise ordered by the court, said State Board of Education and the members thereof are restrained and enjoined from enforcing their said order of Aug. 7, 1961, and from taking any further action tending to cause the Atlanta Board of Education to violate the previous orders and judgments of this court in said case.

"This order is entered ex parte, at 4:55 p.m. this date, as sufficient time is not allowed for service of this petition on all of said respondents and a hearing prior to the entering of this order, but the court is setting the matter for an immediate hearing so that respondents may show cause why it should not be vacated and set aside."

GIVEN TO MARSHAL

Copies of the action for individual members of the board were delivered to the federal marshal for personal service.

City school officials had expressed fear that if the state board's order were allowed to stand it might set a precedent for an unknown number of other transfer requests.

State board members who supported the girl's application of transfer said they were only voting their convictions. None expressed shock at the federal court order.

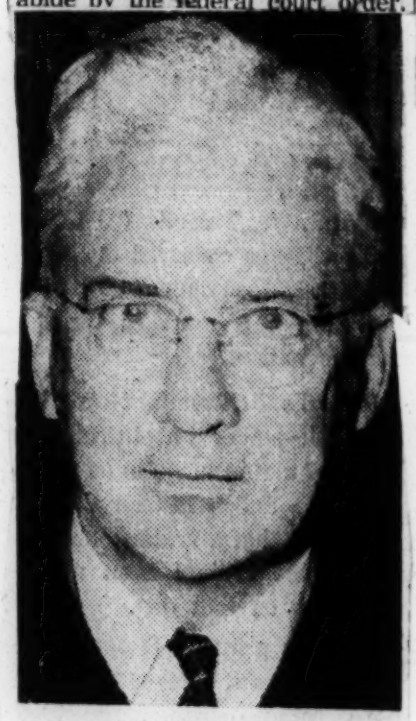
But member Tom Nesbit Jr. of Cordele said he was "mildly surprised . . . I think we are on solid legal grounds. But sometimes I don't think there are any solid grounds anymore."

'EXPECTED IT'

Lonnie Sweat of Blackshear: "Nothing that a federal court does surprises me any more. I expected it."

Zack Daniel of Lavonia: "Naturally we (the state board) will abide by the federal court order. Well, just look at the way I voted."

Board Chairman James S. Peters and Gov. Vandiver were not available for comment. Neither were the other board members who participated in state board's overruled decision.



RULES IN TRANSFER

Judge Frank Hooper

In fact, I expected to be overridden by the federal court. But I had to vote the way I believe. I wish the girl luck at Northside High."

Bob Wright of Moultrie: "This is news to me—news I didn't expect. Of course, I voted my convictions (supporting Miss Melkild's right to transfer.")

Wright said the state board would never have considered the question if it had not been forwarded to it by the Atlanta school board.

OPPONENTS SPEAK

Of the members who expressed opposition to Miss Melkild's application to transfer, only one was available for comment.

Francis Shurling of Wrightsville: "This order is no surprise to me. I don't like to be placed in the I-told-you-so category, but . . .

Mayor, Leaders Press Credited

Atlanta 'Queen City' As Schools Integrate

The Pittsburgh Courier p.4

Sat-9-16-61

(Courier Press Service)

ATLANTA, Ga.—No hootings, no catcalls, no jeers marked the transition of Atlanta's public schools into integrated status here last week as did the same moves in such places as Little Rock, Nashville and New Orleans.

Nine Negro pupils — six girls and three boys—are now in classes at four previously all-white high schools.

THE SMOOTHNESS with which the transition was made, even down to the careful consideration shown the situation by the mass of newsmen on hand, was a tribute to the careful planning of Mayor William B. Hartsfield and his able chief of police, Herbert T. Jenkins Sr., plus the mass orientation of both parents and students during months of preparation.

Once again Atlanta, a proud city, proud of her exalted position in the South, rose to the occasion magnificently and showed that intelligent and decent white citizens intended to obey the laws of the land and to maintain law and order.

The nine Negro pupils were well-received in the four high schools to which they were assigned and they were well-pleased with their reception. There was little if any resentment shown toward them by white students.

■

A FEW—a very few rabble-rousing white youths were summarily hauled off to jail by Chief Jenkins' men and swiftly tried and given jail sentences and fines by Municipal Court Judge Luke Arnold.

School Supt. John Letson said there was a heavier enrollment in each of the four schools this year than there was last year. The segregationists' boycott efforts fell flat on their face.

The Negro students, carefully screened previous to their applications for transfer, in every case but two showed higher composite test scores than the median of the white students in the schools to which they transferred. One very significant transfer student was Thomas F. Welch, 16, who wanted to pursue a naval career and sought ROTC training. This is among the courses not offered in the Negro schools.

■

YOUNG WELCH will be the first Negro to obtain ROTC training at a Georgia high school. His test score showed an 89.2 median for 11th grade. The median at Brown High, where he enrolled is 65.8 for the 11th grade. He transferred from Booker Washington High School, a Negro school.

All other Negro students showed comparatively higher composite test scores than those in the schools to which they were assigned, with but two exceptions.

How did they feel about their reception on the first day?

WELCH SAID: "I feel it is an honor to represent my race at the previously all-white school." Madelyn Nix, 15, the other Negro student sent to Brown High School, said she found few people to "gab" with, but everything went off smoothly. "I'm used to running my mouth," she confided.

Donita Gaines, 16, one of three wh went to Northside High, also said things went off pretty smoothly. She said she also found no special difference between a first day at Northside and a first day at any other school.

The Negro students confided that they observed numbers of white pupils in their classrooms who showed indications that they wanted to be friendly, but guessed they had to warm up to it by degrees.

LAWRENCE JEFFERSON, 17, who went to Grady High—largest in Atlanta—said there was no discourtesy, but that the white students were not "extraordinarily friendly," as he put it. Martha Ann Holmes, 17, who went to Murphy High, made the observation about "friendly expressions on their faces," referring to the white students.

Mary McMullen, 16, said she was "overwhelmed by the amount of friendliness" at Grady High. Rosalyn Walton, 16, said no one was discourteous at Murphy, not that none were friendly toward her. The ther Negro students were Arthur Simmons Jr., 16, to Northside, and Willie Jean Black, 15, also to Northside.

Atlanta Had No Choice but To Obey

The Atlanta

It appears that there will be a speedy appeal of a South Georgia judge's ruling cutting off state funds to four desegregated Atlanta high schools. The sooner the matter can be cleared up the better. Mon. 9-18-61

The judge acted under a section of the State Constituton which says "separate schools shall be provided for the white and colored races." p. 4

We do not see how the decision can stand. Federal courts have ruled that separate schools violate the U.S. Constitution, and in case of conflicts, the federal constitution necessarily takes precedence. The State Constitution itself acknowledges this order of authority.

The first word reaching us was that state funds for all Atlanta schools had been cut off. Actually, the judge's ruling applies only to the four desegregated high schools, but the principle to be decided is the same.

Atlanta had no choice but to obey the federal court's desegregation order. We do not believe Atlanta can be penalized for carrying out its duty under that order.

Board Asked To Relieve Two Overcrowded Schools

Atlanta World

Wed 9-13-61

By JOEL W. SMITH

The Atlanta Board of Education Monday night heard delegation requesting immediate action to relieve over-crowded conditions at two westside schools and received a letter of recommendation for its role in the peaceful desegregation of schools.

The delegations included a group of parents, greatly concerned about the general over-crowded conditions at Henry McNeal Turner High School; and members of the PTA at Collier Heights Elementary School.

Mrs. William S. Shelfer, chairman of the School Committee of the Atlanta League of Women Voters, presented a letter of commendation to President L. J. O'Callaghan on behalf of the Board. This letter read:

"The School Committee of the League of Women Voters of Atlanta wishes to commend the Board of Education for its leadership and its cooperation with other officials in bringing about peaceful desegregation of Atlanta's Public Schools.

"August 30, 1961, is a day that Atlanta will long remember. We are grateful that we can recall this day with pleasure and pride."

TURNER PARENTS SEEK TRANSFER OF STUDENTS

Official spokesman for the Turner High parents, Dr. Lionel Newsom, described the over-crowded conditions, lack of adequate space inside and outside the school, lack of adequate sanitary and health facilites, etc., and told the Board that the students are still without textbooks.

The simple request from the Turner High delegation was that at least 1,000 students be transferred to other schools. It was pointed out that the parents did not want staggered periods.

Speaking on behalf of the Collier Heights PTA, William O. Macomson asked the Board to take immediate steps to eliminate double-sessions and over-crowded conditions there.

He explained that members of the PTA do not share the opinion that there is no relief at this time.

The requests of both delegations were referred to appropriate committees and the administration for consideration.

In his report to the Board, Superintendent John W. Letson emphasized the over-crowded conditions at Turner, Booker T. Washington, David T. Howard and Luther Judson Price high schools.

He noted that the increase of 1,055 students at Howard, Price and Turner reflects the need for 38 additional classrooms.

In other action, the Board approved a recommendation by Dr. Letson that George Halbert Rice, teacher at Booker T. Washington High, be elevated to the principalship of the BTW High Evening School.

A native Atlantan, Mr. Rice is a graduate of Morehouse College, with a masters degree from Atlanta University, and additional study at the University of Illinois.

He started his career as an educator as a teacher of mathematics at Carver Vocational School in 1948 and has been on the faculty at Washington High since 1949.

An active member of Friendship Baptist Church, he is the superintendent of the Young Adult Department of the Church School and a member of the Senior Choir.

Fulton to Start in October On Air-Cooled High School

Like Building Is Planned For East Point Graders

By WILLIAM O. SMITH

Fulton County will start construction in October f Georgia's first air conditioned public high school.

The $830,000 school, which will ve an initial capacity of 500 udents, will be at Roswell and alrymple Roads just north of andy Springs. It will be known s the North Springs High School.

Construction is also expected to tart about the same time on a 400,000 air-conditioned elemenary school on the east side of East Point, to be known as Oak Knoll Elementary School.

Norman J. Aaron, assistant superintendent in charge of buildings, said both buildings will be built with air conditioning at the same cost as conventional school buildings.

THIS WILL be possible through a compact design that reduces waste square footage and drastically lowers the amount of glass space in both buildings.

The high school will have 75 per cent less windows. Forty per cent less windows are planned for the elementary school.

Cost of operating the air-conditioning units is expected to be made up by a reduction of heating costs due to interior, windowless rooms in the high school, and an anticipated reduction in custodial help, Mr. Aaron said.

He pointed out heating engineers have promised that during winter months, outside temperatures must drop to 10 degrees above zero before heat will have to be pumped into the interior, windowless rooms.

* * *

HEAT from adjoining rooms will keep the interior rooms warm. Outside rooms also act as a buffer to keep cold air from the interior rooms. The reverse will be true during the hot months, he said.

Mr. Aaron said the Fulton County Board of Education decided to go ahead with the climate-control buildings as an experiment to determine whether they are an improvement over conventional structures.

Air conditioning of future schools will depend upon the results.

It is expected that pupils will be more alert and learn faster in the cool 75 degrees than in buildings in which the heat soars into the eighties and nineties.

* * *

THE CLIMATE CONTROL is expected to lure more students into summer school, which is gaining in popularity more and more every year with the current emphasis on an enrichment program.

Many students are now attending summer school to take subjects they are interested in but can't schedule during the regular school year because of heavy academic loads, Mr. Aaron explained.

Mr. Aaron said he and state school officials toured similar air-conditioned school buildings in Florida, New Mexico and Texas before venturing into this new field of school construction.

Air-conditioned schools in other states have proved to be no more expensive than conventional school design, Mr. Aaron said.

* * *

BOTH SCHOOLS are expected to be completed sometime in the fall of 1962.

Mr. Aaron said the high school will be constructed in two phases as is generally the custom. The first phase will include all basic facilities required for an accredited high school such as science, business education, industrial art, music, art and homemaking departments; a library, administrative offices, cafeteria and combination gymnasium-auditorium.

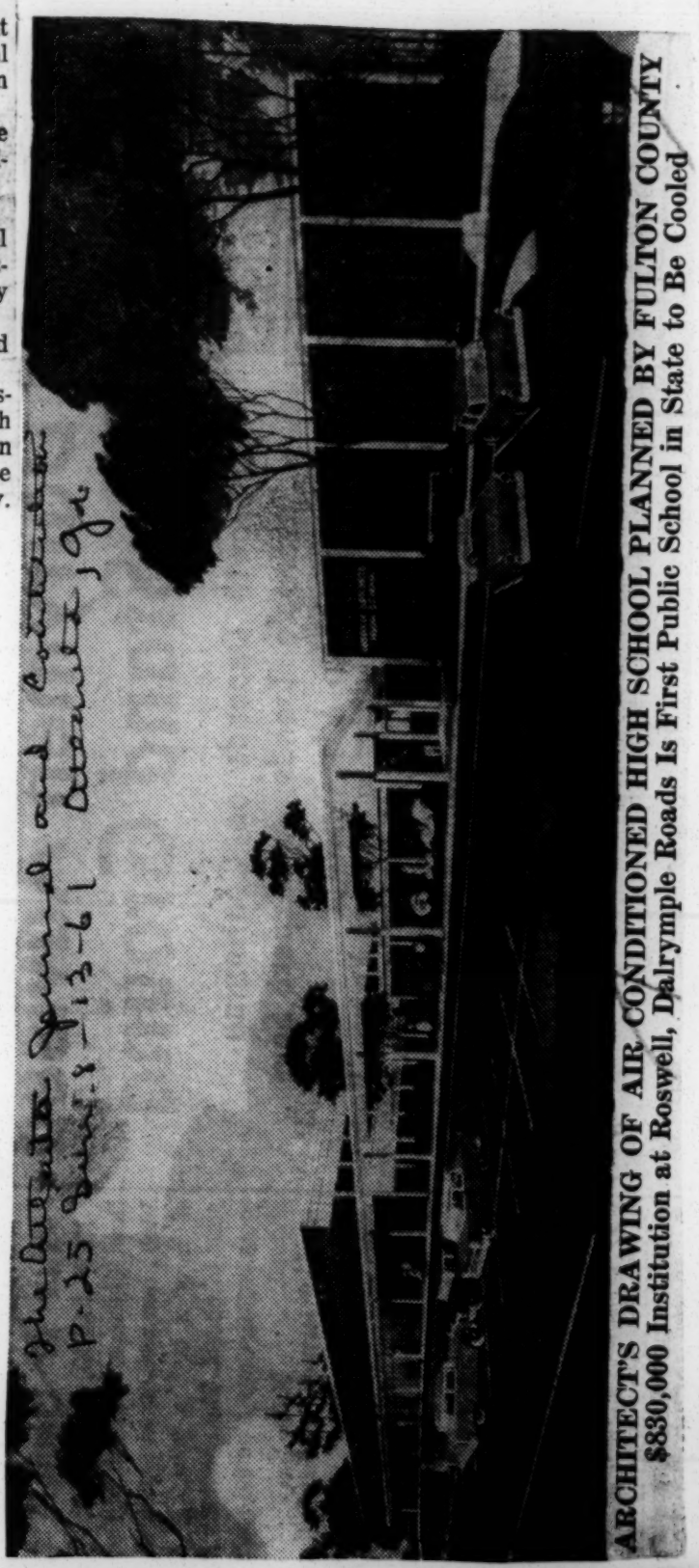
Located on a 22-acre site, it will initially have 17 instructional units and will have 35 to 40 when completed.

The schools will also be equipped with educational television facilities.

* * *

ARCHITECT for the high school is A. Thomas Bradbury and Associates and for the elementary school, Aeck Associates.

The schools are being financed through the 1961 county bond issue and funds provided through the State Minimum Foundation Program, capitalized through the State School Building Authority.



ARCHITECT'S DRAWING OF AIR-CONDITIONED HIGH SCHOOL PLANNED BY FULTON COUNTY
$830,000 Institution at Roswell, Dalrymple Roads Is First Public School in State to Be Cooled

Georgia Law Threatens Loss Of Funds for Public Education

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Sept. 16—A law designed to cover Georgia's retreat from massive resistance to desegregation now threatens to drain funds from the public schools.

The law authorizes tuition grants to students who want to attend private, non-sectarian institutions. The sum would equal that spent by state and county governments for a student's public schooling.

The Legislature's intent in passing the measure last January was to provide means for students to withdraw from desegregated schools. This was not specified in the law, however.

Four Atlanta schools were desegregated Aug. 30. But officials refused to honor grant applications here on the ground that the necessary funds were not available from the state.

However, Eugene Cook, the State Attorney General, ruled grants were mandatory in every school system in the state, desegregated or not.

Mr. Cook said applicants must meet only these conditions:

¶Grants must be made for attending private schools that are non-sectarian.

¶The private schools must be established institutions as distinguished from private tutoring or informal classes.

¶Applicants must be between the ages of 6 and 19, residents of the system and otherwise eligible to attend public school.

The State Board of Education heard the ruling at its monthly meeting Wednesday. It immediately directed Claude Purcell, State School Superintendent, to set up procedures to handle an expected flood of applications.

Board members also demanded that the law be repealed by the next Legislature One called it a "monstrosity."

Some educators predicted that all or most students now attending private schools would apply for the funds. This could jeopardize the financial base of the public education system.

Assembly Asked To Give Local Boards Compulsory Option

BY ED ROGERS

A Senate education subcommittee recommended Tuesday that the General Assembly give local school boards the option of having compulsory school attendance.

The subcommittee in its final report also asked the 1962 General Assembly to repeal the state's pupil-grant law to make all tuition payments for private schooling on a uniform basis across the state, solely with state funds.

These grants could be supplemented locally if local boards wished to do so.

Another proposed change in the pupil - grant law would enable pupils to transfer to other public schools, in or out of the state, as well as to private, non-sectarian schools to avoid "intolerable conditions" at their regular schools.

All these proposed changes hinged on possibility of public schools being integrated by court decrees and of some white pupils, or their parents, wishing to avoid the mixed classrooms.

Although the integration question was given only passing mention in its report, the committee said the goal of its recommendations was to provide a workable plan for "freedom of association."

The proposal to place compulsory school attendance at the option of local school boards runs contrary to a recent recommendation of a House education subcommittee that no change be made in the present statewide law.

Gov. Ernest Vandiver promptly endorsed that recommendation.

Thirty witnesses representing the Georgia Congress of Parents and Teachers and other organizations protested any repeal or weakening of the law in testifying at a House committee hearing. They said it encouraged dropouts.

However, the Senate subcommittee headed by Sen. Dan Hart of Quitman said it had found in on the-scene investigations in Virginia that local-option compulsory attendance is working in that state.

In Virginia, local boards may suspend or reinstate local option at any time. Hart said he believed local control and local responsibility would bring better enforcement than present state-level policy making.

The report pointed out that Georgia's present tuition - grant law is modeled after Virginia's. The committee proposed closer adherance to the model by making all grants at state level instead of at the county level, to be supplemented locally at local option.

Capt. Little Cleared Of Assault Charge

The Atlanta Constitution
P. 12
Fri. 7-22-61

By KEELER McCARTNEY

Charges of assault and battery Thursday were dismissed in DeKalb recorder's court against an Atlanta detective captain in a case arising from the arrest of an 18-year-old Decatur youth on the first day of Atlanta school desegregation.

Associate Judge Winston Harvey dismissed a warrant against Capt. R. E. Little after hearing more than two hours of conflicting testimony.

Jerry Q. Dutton, who obtained the warrant, and two others, George Obear IV, 17 and Ronnie Mashburn, 17, identified Little as the officer who arrested Dutton at Murphy High School.

In an unsworn statement, Little said that at the approximate time of the arrest of Dutton, Obear and Mashburn, he was across town at Northside High School.

ALIBI OFFERED

Five witnesses, four Atlanta police officers and an FBI agent, testified Little was at Northside High School at the time.

Dutton said he and Obear drove to Murphy High School the morning of Aug. 30, arriving there at approximately 8:30. He said they met Mashburn and the three were walking past the school when they were stopped by uniformed officers and told to leave.

Dutton said they were directed to go south on Clifton Street, found their way blocked by expressway construction, and were returning to their car when stopped a second time and taken into custody.

WITHHELD NAME

Little asked his name, Dutton testified, and he refused to answer except in the presence of his attorney. He said Little jabbed him in the stomach with three fingers of one hand, searched him for weapons and then hit him in the stomach.

Mashburn said he saw Little jab Dutton in the stomach and strike him. Obear said he had stooped over to pick up change spilled from his pocket and "heard Dutton grunt" but did not see the blow.

Little said he was assigned Aug. 30 to supervise detectives at Grady and Northside high schools. He said he met FBI agent Dan Dunn and Atlanta Detectives L. G. Chatham and C. E. Wright at police headquarters at 7 a.m. and the four drove directly to Grady, then on to Northside.

Dunn, Chatham and Wright said they were with Little constantly from 7 a.m. until noon. All three testified he did not go to Murphy.

Little said he went to headquarters to question Bill Cody of Reading, Ga., and while there interviewed Dutton, Obear, Mashburn and Ronald Farmer, 18, who had been sent in from Murphy.

Little said he later outlined cases against the five based on statements of the arresting officers. He added three of the arresting officers at Murphy, including Sgt. R. P. McGee, were present in court but were not called to testify.

Dutton and Mashburn said Little gave first person accounts of their arrest during the hearing. Obear said he could not recall if Little spoke in the first person.

Obear said he left his identification papers and a .32 automatic in the parked car. Questioned by Edenfield, he said he and Dutton were members of the Knights of the Confederacy and said he had distributed literature at Avondale High School where he is a student.

All three said following their arrests they were denied the right to call an attorney or their parents, were questioned, fingerprinted, placed in a lineup, then tried and sentenced to the city prison farm. Dutton referred to the trial as "a mockery."

Obear and Farmer have filed separate damage suits in DeKalb Superior Court against Mayor William B. Hartsfield, Police Chief Herbert Jenkins and Little.

Obear, Farmer, Dutton and Mashburn were released from the stockade before a scheduled habeas corpus hearing in DeKalb Superior Court. Cody filed a similar writ a week later and was released.

Atlanta Braces for School Integration Aug. 31

By Joseph H. Baird
Special to The Christian Science Monitor

Atlanta

While city and state officials expect the integration of Atlanta schools starting Aug. 31 to be accomplished peacefully, there are some signs of more-than-usual racial tension as the target date approaches.

This may be due in part to the fact that Atlanta is in the midst of its quadrennial municipal elections, in which there are a record number of Negro candidates—three for the Board of Aldermen, one for the Board of Education, and two for the City Executive Committee, which is charged with conducting elections.

The Democratic primary, usually tantamount to election in Atlanta, is scheduled for Sept. 13, or just two weeks after the opening of the public schools. This means that the frenzy of oratory by some 85 candidates will be at its height just as 10 Negro students approved by Superintendent of Schools John W. Letson for entry into previously all-white high schools occupy their desks for the first time.

'Hate' Literature

This correspondent found in his mail box several days ago—as presumably thousands of Atlanta householders did also—a batch of anti-Negro "hate" literature enclosed in a plain white envelope with no return address.

It sought to raise in the minds of parents, some of whom already are apprehensive, a fear that the presence of Negroes in white schools would result in the rapid spread of social diseases among their children.

The literature also exhorted parents to take advantage of a plan approved by the General Assembly last winter at the time it repealed Georgia's school segregation laws under which parents may apply for a grant-in-aid to send their children to private schools if those they have been attending are integrated.

The legislation was passed with little study of its administration and cost, which could be tremendous if a large number of parents took advantage of it. State officials have taken the position that plans to administer it must be worked out by the local school boards.

Board Reversed

Integration of the Atlanta schools—to be carried out under an order of the United States District Court here which was issued more than a year ago—has been planned for carefully. Last spring Dr. Letson arranged a series of meetings for students, teachers, and members of the Parent-teacher Association at which the plans for integration were discussed and a plea made that it be carried out calmly and peacefully.

Meanwhile, the Georgia Board of Education, by a 7 to 2 vote reversing the Atlanta School Board, has seriously threatened the city's legal defenses against "massive" integration. At least this is the viewpoint of several attorneys and the Atlanta Constitution.

The state board ruled that Sandra Melkild, a white student, may be transferred from Northside High School, which is to be integrated, to Dykee High School, which is four miles farther from her home, but is to remain entirely white.

She was represented by her father, William E. Melkild, who based his plea on the "freedom of association" bill passed by the General Assembly last winter.

Attorney A. C. (Pete) Latimer, representing the Atlanta board before the state body, argued that the federal courts have enjoined the city board from basing transfers on "race, creed, or color." He said that the 10 Negroes being transferred to previously all-white schools were permitted to do so on the grounds that Negro schools do not offer some of the courses they want to take.

The decision in Miss Melkild's case, however, was based entirely on race.

The Constitution pointed out editorially that Negro children, their parents, and attorneys may not argue, using the Melkild case as a precedent, that a Negro child has found it distasteful to attend a segregated school.

"Atlanta," the newspaper said, ". . . constructed a system of court-approved controls over desegregation and tried to implement it legally and with discretion. With seeming unconcern for discretion or legality, the majority of the state board now has deliberately overturned Atlanta's carefully built defenses and laid this community vulnerable to the storms it has tried to calm."

Simultaneous with the state board's action, the Atlanta Board of Education has rejected the appeals of 38 Negro students whose applications to enter all-white schools were disapproved by school administrators. They were part of a total of 133 Negroes who sought transfers last summer, only 10 of whom were granted them.

D. L. Hollowell, attorney representing the 38 Negroes, is expected to carry their appeal to the State Board of Education. He observed that board's decision in the Melkild case will make his appeal "easier in many respects," as the board already has approved the transfer of a white student from one school to another solely on grounds of race.

The Atlanta School Board is considering an appeal of the State Board of Education's decision to either a federal or state court.

Whatever the outcome of the legal battles, Gov. S. Ernest Vandiver already has announced that he will use whatever state police powers are necessary to restrain violence.

The Governor—a stanch believer in segregation, but also a realist who has taken the position that Georgia cannot defy the federal courts—was careful to explain his position to reporters.

One Grade a Year

He will not, he said, use Georgia State Police to enforce a federal court order. But, as he is charged under the Georgia Constitution with being "conservator of the peace," he will not hesitate to use force to quell violence. Thus the Ku Klux Klan and other extremist organizations have received advance warning that any efforts toward mob action will meet state resistance. Naturally, the same thing applies to Negro demonstrators.

The 10 Negro students will be distributed among four high schools in widely scattered sections of the city. Elementary schools will remain segregated for two more years, as integration will begin with the 11th and 12th grades and progress downward by one grade each year.

If Atlanta elects a Negro to the Board of Aldermen, he will be the first to sit in that body since Reconstruction days. Q. V. Williamson, a Negro real estate man, has filed his candidacy in the Third Ward, which has the city's largest number of Negro voters, and has received the endorsement of the executive committee of the Atlanta Negro Voters League.

The two other Negro candidates for the Board of Aldermen are J. C. Daugherty, a lawyer, running for the second post in the Third Ward, and Pat Patrick, radio announcer, in the Seventh Ward. All three Negro candidates are opposing white incumbents who are candidates for re-election.

Dr. Rufus E. Clement, president of Atlanta University, is unopposed to succeed himself on the Atlanta Board of Education.

Atlanta Ready For Token Integration In Schools

ATLANTA, Ga. (AP) — This Deep South city will try to effect token integration of two high school grades in a peaceful manner when schools open in September.

Some view the initial effort here as one that will seal irrevocably for generations to come the course the South will follow in dealing with the racial crisis.

If mob violence develops, they avow, Georgia, which has made great economic strides, can be ruined. Their view is that if integration is accomplished without disorder, the continued industrial growth of Atlanta and Georgia will be assured.

HEAVY PRESSURE

Heavy and constant pressure was brought for months by numerous groups on city and state officials to seek a peaceful solution of the school problem and avoid the violence that developed in Little Rock and New Orleans.

Gov. Ernest Vandiver, a strong segregationist, put aside personal feelings in the face of the mounting pressure and said the state would act quickly to put down any trouble growing from a federal court order to desegregate Atlanta schools.

Vandiver said he believed the U.S. Supreme Court was wrong in outlawing school segregation but that unless the state wants to secede, "we'll have to obey that court order."

11TH, 12TH GRADES

The order, the first affecting public schools in Georgia, calls for desegregation of the 11th and 12th grades. One hundred and thirty-four Negroes applied for transfer to white schools. The Atlanta Board of Education, after tests and interviews, eliminated all except 10 of the applicants.

Lawyers for 40 of the Negroes rejected for high school desegregation filed appeals with the board before the deadline.

The school board also rejected the application of a white girl, Sandra K. Melkild, for transfer from one of the white schools that will be integrated. The girl cited a "freedom of association" amendment to the state constitution, approved by the legislature but not yet voted on in a general election. Her attorney filed an appeal.

Denial of the white girl's request brought a request from from House Speaker George L. Smith to State Atty. Gen. Eugene Cook for a ruling on whether state law prohibits a white pupil from transferring from an integrated to a segregated school.

NEGROES SELECTED

Seven Negro girls and three Negro boys selected for the integration effort will attend four white high schools. There are 13 white high schools in the city with an enrollment of about 18,000 pupils and five Negro high schools with 11,000 students. Total public enrollment is around 100,000.

The Atlanta integration program is what Roy Wilkins, executive secretary of the National Assocation for the Advancement of Colored People, calls desegregation by the eyedropper.

Two Negroes are attending the University of Georgia in Athens and three have been accepted voluntarily by Georgia Tech in Atlanta for the term beginning in the fall.

Enrollment of the two at Georgia last January caused rioting that was quelled only after city officials ordered the use of tear gas. The Negroes were removed from school for their own safety but their immediate return was ordered by U.S. Dist. Judge W. A. Bootle who directed their admission originally. He held void a state law cutting off funds to any state college that accepted Negroes.

JUDGE'S RULING

With the judge's ruling on the university case it became apparent that a state law cutting off funds for public schools also would fall. The legislature then repealed the state school closing laws and enacted new statutes.

Sentiment for changing Georgia's school segregation laws also developed after a legislative committee held hearings in each of the 10 congressional districts in 1960.

The committee reported an overwhelming majority of Georgians favored separate school facilities for white and Negro races but that the fate of the school system should be decided by a direct vote of the people in local elections.

The new statutes provide that any school district may order an election on the question of suspending schools. The legislature also approved a grant-in-aid system for pupils desiring to attend nonsectarian private schools.

NEGRO VOTE

The voting power of Negroes in Atlanta has contributed to a more liberal attitude on racial matters on the part of city officials. In the past most candidates for statehouse office included segregation planks in their campaign platforms.

Mayor William B. Hartsfield, 71, who will not seek re-election this year after 23 years in office, attributed his successful campaign strategy in part to his ability to get the Negro vote.

The mayor has warned repeatedly that the city will not tolerate interference with peaceful school integration. The Atlanta police force, he says, has been disciplined to uphold the law.

RABBLE-ROUSERS

"We are going to ride herd on these damned rabble-rousers," the mayor says.

Police Chief Herbert Jenkins told his force he yields to the judgment of the Supreme Court in the school desegregation case and its decision must be obeyed by everyone.

Support for peaceful transition to desegregated high schools was sought by a group known as Organizations Assisting Schools In September—OASIS. It enlisted the help of heads of more than 1,300 organizations.

Atlanta Mayor Forecasts No Desegregation Trouble

By the Associated Press

Atlanta

Mayor William B. Hartsfield forecasts that desegregation of some of Atlanta's public schools—scheduled for this fall—will take place without trouble.

"There will be desultory efforts to cause trouble, mostly from outside of Atlanta by people who want to embarrass us," the Mayor said during an appearance on a television panel show.

But, he said, "we have plans to deal with these promptly and decisively. We are not going to set any stages for demonstrations."

The city's public schools are under a federal court order to start desegregation in the 11th and 12th grades in the fall. Negroes desiring to transfer to white schools are expected to start applying for the transfers.

Asked about a Negro group's move to desegregate the city parks, the Mayor said "we want to sit down and talk to them about that. Much of the city's recreation facilities are already desegregated and we have several excellent Negro parks."

Atlanta's public golf courses were desegregated under a federal court order several years ago.

Atlanta Doesn't Miss A Bet

A release from the office of Atlanta's Mayor Hartsfield is in hand.

It describes in some detail plans being made to take care of several hundred newsman who are expected to be on hand for the Aug. 30 school opening.

The "command post" will be the Council Chamber and second floor of City Hall, to be equipped with "a minimum of 50 additional telephones, at least 50 typewriters . . . three first-class television receivers, one to each station, at least three or four radio receivers tuned to different stations. Also, a police radio, preferably two-way; likewise, telegraph accommodations, and also a UP newsticker and Associated Press facilities."

Special conference-type telephones will connect the offices of the principals of the four schools to be integrated with the Council Chamber, where a water and soft drink counter for the working press will be installed.

Air-conditioned buses, after school lets out, will take newsmen on a tour of Atlanta, including an area of "beautiful Negro homes," thence back to a club for cocktails.

Why? "The purpose of these and other conveniences which can be added," the release says, "is to afford the press of the nation full convenience and access to the story of integration in Atlanta and at the same time give to the balance of the world a picture of the great modern friendly city which is the dateline of their stories."

A colleague passed the above information along for possible use in the "Atlanta Doesn't Miss A Bet Dept." It is herewith so offered.

Desegregated Classes Start In Ten Days

By DAVID M. MOFFIT
United Press International

In 10 more days, Negroes will begin classes at four previously all-white Atlanta high schools — and another stronghold in the South's slowly yielding battle against integration will have fallen.

The end of public school segregation in Georgia will leave only three states — Alabama, Mississippi and South Carolina — which have no race-mixing in their schools. Georgia becomes the 14th state to lower barriers in the seven years since the U. S. Supreme Court [illegible] school segregation.

However, the temper of Atlanta is not that of Georgia as a whole. While 10 Negro students will attend integrated classes here this fall, there is no immediate sign that other Georgia cities will be following suit. Rther, opposition to integration outside the Atlanta area appears to remain as firm as before.

But Atlanta was faced with a federal court edict while the rest of the state was not.

WANT NO VIOLENCE

Mayor William B. Hartsfield, a racial moderate who will retire this year after 24 years in office, and City School Supt. John Letson, a progressive educator lured here from Chattanooga, Tenn., have led a campaign aimed at integrating the Atlanta schools with none of the violence of Little Rock and New Orleans.

When trouble broke out in New Orleans, specially-detailed Atlanta policemen were on the scene-hoping to profit by first-hand observation and thereby avoid the pitfalls which Louisiana authorities encountered.

The lessons of Little Rock and New Orleans appeared to have been well learned. Atlanta officials have devised a series of measures aimed at enabling integration to proceed as smoothly as possible.

Indoctrination classes were conducted for high school students, their parents and civic groups. One theme was hammered home: Atlanta will be on trial before the entire world and any breach of the peace would disgrace the city and its citizens.

At Brown High School, one of the four schools to be integrated, the students were told, "Khrushchev will be watching you."

CAREFUL SCREENING

Next, a careful screening process cut 133 Negro applicants down to a select group of 10—all top students from above-average families. These students were split up so that no more than three were assigned to any one school, all in the 11th or 12th grade.

The four high schools selected are spread far across Atlanta. Northside is in an exclusive residential section in the northwest section of the city; Brown, in the southwest, and Murphy, in the southeast, are both in middle class neighborhoods. Grady, the largest of the four, is in an old section of town only a few blocks from the main business district.

"We figured that by spreading out the integration to all four sections of Atlanta, that no one area could feel that it had been put upon," Hartsfield said. "Also, by spreading out like this, we are keeping those persons who might attempt to cause trouble from having any single target."

Hartsfield said this was also the reason the names of all 133 Negro applicants were publicized. "We wanted to prevent those in opposition from taking out their feelings on just a handful of students."

SAFETY PRECAUTIONS

Squads of policemen have been assigned to each of the four schools. Only the students and the teachers will be permitted on the school property and crowds will not be permitted to gather near the schools.

Letson emphasized that he does not expect any trouble inside the schools. He feels that white students are ready to accept Negro classmates and that pride of school will create a competitive spirit that will find the student bodies at each school trying to outdo the others in maintaining harmony.

If trouble does come, Letson said, it will be by outsiders. "But we do not anticipate any trouble that we cannot handle."

Police Chief Herbert Jenkins speaks with as much confidence as Letson. But he said an armored car loaded with tear gas bombs and shotguns will be standin ready and additional police will speed to the scene of any violence.

The first person who steps out of line, he said, will be hustled into one of the police wagons which will be parked at each school and rushed to jail.

Jenkins said the most difficult school to patrol will be Grady, which sprawls over an entire city block and has 26 entrances. Northside will be the easiest since it is fenced on two sides and has a steep hill on a third.

Atlanta, State Duel, In School Crisis

By Joseph H. Baird
Special to The Christian Science Monitor

Atlanta

The State of Georgia and the City of Atlanta are engaged in a legal fight, and the outcome may determine the future of the Atlanta school-integration plan.

Central figure in the controversy is a white girl, Sandra Melkild, whose father, William E. Melkild, contends she will incur psychological damage if she is forced to attend Northside High School, where a handful of Negroes will go to classes with hundreds of white students. But the issue at stake is far larger than Miss Melkild's personal happiness.

The Atlanta Board of Education turned down Miss Melkild's application for a transfer from Northside to unintegrated Dykes High School. Her father appealed to the State Board of Education. It reversed the Atlanta board, which Tuesday obtained an order from United States District Judge Frank Hooper, Jr., restraining the state board from carrying out its order, pending a hearing Friday.

And on Tuesday Governor S. Ernest Vandiver ordered Attorney General Eugene Cook to represent the state board at the hearing, thus placing state authority behind the board.

Integration Due

Atlanta schools are to be integrated Aug. 30 under an order issued more than a year ago by Judge Hooper, who approved the Atlanta Board of Education's plan for gradual integration of one grade each year. Ten Negro students have been approved for entrance at four separate white high schools.

What makes the Melkild case significant is that the student's father based the appeal for her transfer solely on grounds of race. In fact, Dykes High School is four miles farther from her home than Northside. And the Atlanta school-integration plan, which sets up some 18 criteria for deciding whether transfers are to be granted, specifically exempts race, creed, or color as valid reasons.

The Atlanta board believes that if the State Board of Education's decision in the Melkild case is allowed to stand unchallenged, hundreds of other white children may use it as a precedent for demanding transfers from integrated schools. More, attorneys for Negro children may cite it as a basis for arguing that their clients are being psychologically harmed by being forced to remain in segregated schools.

Order Obtained

After the state board had turned down the Atlanta board's

appeal to reverse its ruling in the Melkild case, the board's attorney, A. C. (Pete) Latimer, went to the residence of Judge Hooper late Tuesday and obtained the restraining order.

He told the jurist that the Atlanta board was caught in a legal trap where it would be forced to defy either the state or the federal government and asked for "an order of clarification" in the Welkild case and "others of a similar nature."

Judge Hooper promptly issued a temporary restraining order against the state board and set a hearing in the case for 10 a.m. Friday. The order forbids the state board from "taking any further action tending to cause the Atlanta Board of Education to violate the previous orders and judgment of this court."

Later Judge Hooper, acting at the request of the state, postponed the hearing until Aug. 30, the day school opens.

Legal Outlook

Legal authorities here expect that if Judge Hooper's restraining order is made permanent, the State Board of Education will be made a party to the original court order to the Atlanta board, thus thwarting any further state efforts to interfere with the integration plan approved by the court for the city's schools.

James S. Peters, chairman of the state board, is en route to Europe and could not be reached for comment. Other board members expressed either surprise or annoyance at Judge Hooper's action. However, Francis Shurling of Wrightsville, one of the two members of the board who voted against transferring Miss Welkild, said: "I don't like to be placed in the I-told-you-so category, but . . ."

Meanwhile, the City of Atlanta is taking stern measures to prevent disorders when the 10 Negro students first enter previously all-white schools. Police Chief Herbert Jenkins has announced that persons not connected with the schools will be forbidden to assemble near them on opening day. If they disobey police orders to move on, he said, they will be promptly jailed.

Governor Vandiver has announced that as "conservator of the peace" he will use state police powers if necessary to quell violence.

Officials at City Hall said that approximately 500 out-of-town news correspondents for newspapers, television, and radio stations are expected here to cover the integration story. Working arrangements are being made for them at City Hall.

Handpick Students For Integration In Georgia

ATLANTA — (UPI) — Ten handpicked Negro students—seven girls and three boys—were chosen Saturday to take part here next fall in the first public school integration in Georgia history.

The students were authorized to transfer to four presently all-white high schools of the Atlanta school system under a gradual integration plan approved by a federal district judge.

Integration, limited to the 11th and 12th grades for the first year, will spread one grade each year. The students were carefully screened and other court-approved factors were considered.

The announcement that 10 students were finally approved after weeks of testing came on the deadline for the decisions. There had been 134 applicants originally.

The 124 rejected applicants have 10 days in which to file appeals. This is another feature of the court-approved desegregation plan.

School officials also rejected the transfer of one white girl who asked for a transfer out of range of integration, which will involve four of the city's high schools this year.

Supt. John Letson of the city school system declined to reveal various causes of rejections. However, it became known that the number of applicants still in the running dropped sharply at each hurdle.

The students were given achievement tests and personality interviews. School officials also considered relative distances from homes to schools, and the pupil-loads of the schools.

"The administration staff has made every effort to follow carefully the requirements of the pupil placement procedure approved by the federal court," Letson said.

"It has proceeded in good faith to take in consideration the factors that are a part of that plan."

Federal Judge Frank Hooper, acting on a suit by Negro parents, in 1959 ordered an end to segregation but permitted a delay until the state Legislature could repeal laws that would close any integrated school.

The Legislature, after almost a year of public hearings conducted around the state by a study committee, wiped the mandatory school-closing laws off the books and provided for pupil placement.

Present law sets up legal machinery for closing schools by local vote, as one Louisiana parish has done under a similar law, and for state grants to finance private schooling.

Hooper also directed the Atlanta school board to work out an acceptable formula for integration. The one he finally approved enables officials to consider many factors in assigning pupils to schools.

It happened that the students chosen for the start of the plan were equally divided between the 11th and 12th grades. Brown High school is to receive three, Grady two, Murphy two, and Northside three.

Says Pupil Law Will Keep Down Desegregation

p.3

The pupil placement law was described by a county school superintendent as the best means of keeping intergration in public schools in check and at a minimum.

Paul West of Fulton County cited the eight Negroes in North Carolina public schools in the six years of desegregation there as a basis of his comment. He said that the federal courts had shown respect for the placement plan.

He saw the Sibley Study Commission and the desegregation of the University of Georgia as the events that would soften the blow of the public schools here.

If the state bears the full cost of the tuition-in-aid program it would save the metropolitan school systems from financial havoc, said Superintendent West.

ATLANTA SCHOOLS SET TO INTEGRATE

Leaders Are Confident City Is Prepared for Move

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, July 1—This city expects to demonstrate on Aug. 30 that careful preparation can prevent the violence that has accompanied public school desegregation in some Southern areas.

Ten Negroes are scheduled to enter four previously white high schools here that day. Their admission will mark Georgia's first token step toward compliance with the Supreme Court's desegregation ruling of 1954.

It is considered possible that the region's militant racists will choose to make a final, bitter stand here. Atlanta is the recognized capital of the Deep South and desegregation in Georgia will leave only South Carolina, Alabama and Mississippi in a posture of defiance.

Rural Opposition

Opposition still runs high in the state's rural areas. This is true despite a lull in the activities of white supremacists and the hard lessons taught by the riotous outbreak that greeted the enrollment of two Negroes at the University of Georgia in Athens last January.

In the face of these negative factors, city leaders expressed confidence this week that there would be no mass disturbances such as those in Little Rock, Ark., and New Orleans.

They said their optimism stemmed from the fact that, aside from Louisville, Ky., no other Southern city had conducted a more extensive program to promote peaceful acceptance of desegregation.

The campaign has had the apparent support of most of the community's leadership. City officials, educators, law enforcement authorities and civic and religious organizations have participated in it. Ministers of all faiths have played leading roles.

Publisher Urged Action

Ralph McGill, publisher of The Atlanta Constitution, was among the first to call for such a campaign. In a column in 1953, he predicted that the South's dual school system would soon be outlawed and said that "somebody, especially those who have a duty so to do, ought to be talking about it calmly and informatively."

Little discussion took place, however, until Negroes filed a suit in 1958 that ultimately led to a Federal District Court's desegregation order.

Atlantans, with help from other sections of the state, then began a fight to abolish state laws that threatened to close the schools. When that objective was accomplished last winter in the Legislature, the city turned to the task of preparing for compliance.

A number of organizations, including one called H. O. P. E., for Help Our Public Education, pressed the open schools campaign. These groups formed a new association last April. It is known as O. A. S. I. S., for Organizations Assisting Schools In September, and now has forty-seven affiliates.

O. A. S. I. S. is divided into three sections—religious organizations, civic and service groups and youth agencies. Its members range from civic clubs and the Boy Scouts to labor unions and the National Association for the Advancement of Colored People.

Much of its activity, according to the chairman, Mrs. Philip G. Hammer, is directed toward members of affiliated organizations. "Our objective is to prepare the community for the experience of school desegregation," she said. "We expect to continue this work even after schools start."

Responsibility Cited

The organization operates a speakers bureau, provides leaders and literature for neighborhood discussion groups and works to encourage interest and support for peaceful desegregation. It has also brought groups of white and Negro youth leaders together and has obtained the cooperation of various community organizations.

Efforts to ease the transition have received considerable support from the city's newspapers and radio and television stations. Editorials have called for compliance with the law. The breakdown of massive resistance and the penalties paid by other cities for mob violence have received detailed coverage.

"We felt we had a responsibility to the city to provide proper leadership and a responsibility to our readers to tell the story fully and objectively," said Jack Tarver, president of The Atlanta Journal and The Atlanta Constitution.

Mayor William B. Hartsfield, who has announced that he will retire in January, has asserted repeatedly that the city will preserve its good reputation. He has taken an active part in official and private activities designed to prevent any trouble.

Police Chief Herbert T. Jenkins said that although he and his men preferred segregated schools they would allow no interference with desegregation.

School System Prepared

"I think we've convinced not only the students but the parents as well that although we may not like it this is the law," he said. "We're going to comply with the law and anyone who does not is going to jail."

"We're law enforcement officers first and white or colored second."

Chief Jenkins has had officers of his department on the scene as observers during a number of racial disturbances in other cities.

Dr. John Letson, who became public school superintendent last year, has warned Atlantans that anything less then desegregation with peace and dignity would "exact a terrible price that will not be paid in full for a generation."

The system began a program of preparation two and a half years ago, according to Dr. Rual W. Stephens, the deputy superintendent. At that time, he said, "we not only appeared to be reluctant, we were reluctant."

"We even fought it at first," he continued. "We were reluctant to get too far ahead of public opinion."

He said the first step had been to hold meetings of white and Negro school principals. The biracial sessions of curriculum committees, supervisory teachers and similar employes were conducted later.

Last fall, he said, the department brought together white and Negro student government leaders. Seating was segregated at first, but the practice was soon dropped.

"No effort was made to convert them," Dr. Stephens said. "We just wanted to give them a chance to see that Negroes were decent people. We approached it in a most gingerly fashion."

"Ours has been an effort to inform people realistically what the situation is in order to let them make their own choice."

The city's business community, through the Chamber of Commerce and other organizations, has spoken out for acceptance of desegregation. A few business executives have taken action individually.

Tuition Suit Dismissal to Be Argued

By CELESTINE SIBLEY

Attorneys for the Atlanta sixth grader seeking tax funds to attend a private school under Georgia's tuition grant law rested their case late Monday after seven days of fiscal testimony.

A. C. (Pete) Latimer, attorney for the Atlanta School Board, defendant in the action, immediately moved for a dismissal. Judge Durwood T. Pye recessed court for the day without ruling.

Moreton Rolleston, attorney for the child, 11-year-old Carla Aikens, is expected to argue on the motion when court reconvenes at 9:30 a.m. Tuesday.

A procession of school administrators filed through the courtroom Tuesday to give evidence on the number of school-age children in Atlanta—a perminent fact necessary to figure the amount of the grant Carla would collect if Judge Pye rules in her favor.

Dr. Claude Purcell, state superintendent of education, offered the count of the last federal census—106,275 as of April 1, 1960—and Judge Pye, after deliberation, admitted the figure over the objection of Latimer.

Questioned by Rolleston, Dr. Purcell admitted that he could collect the school census figures from both public and private schools, if required to. He said the state compulsory school attendance law provides for such a census but does not make it mandatory.

Dr. John Letson, Atlanta superintendent of schools testified that he has received 210 requests for 278 tuition grants. Under examination by Rolleston, who is seeking to prove that Arlington Schools where Carla Aikens is a student, is non-sectarian, Dr. Letson said Atlanta public schools have Christmas, Thanksgiving and Easter celebrations.

Private school administrators who testified to their individual enrollments include: Frank D. Kaley of Pace Academy; Dr. Theresa Hite, Fairhaven School; William Wade Edwards Jr., Northside School, Inc.; Mrs. Dorothy Bagwell, Ar' Lyn Worth Elementary School; Dr. William L. Pressly, Westminster School; James A. Rabbe, Lovett Schools; Charles Edward Owens Jr., Arlington Schools and two representatives of the Catholic Diocese of Atlanta, involving 13 parochial schools.

City Told to Justify Transfer Denials

The Atlanta Constitution
P.1 Thurs. 11/16/61
Atlanta, Ga.

By SAM HOPKINS

The Atlanta Board of Education has failed to show why it refused the requests of 38 Negro students to transfer to white schools, the State Board of Education said Wednesday.

In directing the students' appeal cases back to the local board, the state board declared that "without being provided the basis on which these requests were denied, it appears rather difficult, if not impossible, for us to determine from the record whether or not the action of the Atlanta School System in denying such requests was reasonable, justified or arbitrary."

Newell Edenfield, representing the city, admitted that "no reason was ever given" for rejecting the students' requests for transfer applications.

Board calls for tighter controls over private schools. Story on Page 17.

However, he said he felt that more than 90 per cent of them would be rejected on the basis of the distance they lived from the white schools. The students' attorneys claimed the pupil placement makes no reference to distance.

Dr. John Letson, superintendent of the Atlanta board, afterward said, "I feel there will be a review of the cases" and that if the state board wants some reasons" for denying the requests "We will have some ready."

He said the local board will have a report prepared before the next meeting of the state board.

HOLLOWELL HITS RULING

The Negro students, many of whom were present at the state board's meeting Wednesday, were represented by Donald L. Hollowell and E. E. Moore.

Hollowell declared that the Atlanta board's ruling was "based solely on race and color" and was a "discriminatory policy of the school superintendent."

He said this violates Atlanta's pupil placement plan which already has been approved here by the federal court.

BLAST BOARD'S STAFF

Both attorneys for the Negro students also argued they were not given the opportunity to question the Atlanta school board's administrative staff concerning results of tests given to the applicants.

They contended the transfer refusals were based in part on these tests and said that some of the white students had made lower test scores than had the Negro students.

Edenfield argued that Dr. Letson, in refusing to approve the applications for transfers, was acting in a quasi-judicial position, thus shouldn't have to explain the basis on which he made his decision.

CALLED LEGAL QUESTION

Edenfield said the matter apparently is a legal question which will have to be decided by a court.

Although the State Board of Education gave each side 30 minutes to present its case, there was no doubt the board already had decided what action to take.

Immediately after hearing the arguments, board member Francis Shurling read a prepared statement making the motion that the appeals be tossed back to the Atlanta board. The state board approved the motion.

The state board further stated that it and "appellants are entitled to know how the Atlanta school system evaluated the facts adduced in regard to each of these 38 requests, and the basis on which such requests were denied. . . ."

It declared that "without such we are compelled to study the record as a whole and in effect make a de novo determination of our own as to what action should have been taken by the Atlanta school system. This would be contrary to our rules and regulations and state law."

The state board further directed the Atlanta board to "provide a fair and impartial hearing" to each of the students if they so desire and tell each student the grounds upon which his request was denied.

Tuition Ruling Hinges On Meaning of Sectarian

The Atlanta Constitution P. 1
Thurs. 11/16/61 Atlanta, Ga.

By CELESTINE SIBLEY

An 11-year-old Atlanta girl's efforts to collect tax funds to go to a private school had cleared the constitutional hurdles Wednesday only to bang into a fresh obstacle: is she attending a non-sectarian school and what IS a non-sectarian school?

The question, which one attorney said was "theological, philosophical and impossible," kept attorneys, a brace of witnesses and Judge Durwood T. Pye engrossed in Fulton Superior Court all day Wednesday and will be taken up again Thursday morning.

Judge Pye Tuesday upheld the validity of the tuition grant law under which sixth grader Carla Aikens is seeking to collect money from the Atlanta School Board to attend a private school and Wednesday began consideration of the disputed facts in the case. One of these is whether Arlington school, which Carla is attending, complies with the provision of the law that grants go to students in "private, non-sectarian" schools.

School Board Attorney A. C. (Pete) Latimer contends that Arlington is a sectarian school and the Aikens' attorney, Moreton Rolleston, is seeking to prove that it is non-sectarian. Latimer withdrew his demand for a jury trial, leaving the determination of the case to the court.

By late Wednesday the issue seemed to hinge on whether Christianity is a "sect." The headmaster of the school, Charles Edward Owens Jr., a retired naval commander, admitted "without apology" that Arlington School holds itself out to be "a Christian educational institution." He said elementary school pupils receive 45 minutes of Bible instruction a week from their homeroom teachers and high school students have 45 to 47 minutes of instruction every Friday from an ordained Presbyterian minister in a subject called "Sacred Studies" which touches on all the great religions of the world and "their impact on civilization."

Commander Owens denied that Arlington is sectarian. When the question was put to him by Judge Pye, Latimer objected on the grounds that it called for a conclusion on the issue which was the subject of the suit. Judge Pye sustained Latimer's objection and rephrased his question.

"Does Arlington School hold itself out as a sectarian or non-sectarian school?" the court asked.

"As non-sectarian," Commander Owens said.

Attorney Rolleston attempted to show that in its instruction on religion, Arlington also covers Confucianism, Buddhism, Shintoism, Judaism, Taoism and the Moslem religion, as well as Christianity. Commander Owens testified that he had used a Life Magazine film on the subject of these religions when he himself taught the course, prior to the coming of the Presbyterian minister. He said members of the faculty are members of four or five Protestant denominations and the students include eight Catholics, six of whom do not take the religion courses by permission of their parents.

"Students are not required to take the course if their parents or rector feels it would tend to conflict with their own religion," Commander Owens said.

An earlier witness, the Rev. Walter Miller Crowe, pastor of the Cascade Road Presbyterian Church, testified that he was a member of the board of directors of Arlington school and served as chaplain to the board but had no connection with the students. Latimer sought to get from him a definition of "sectarian."

"Sectarian is some exclusive, narrow-minded attachment to a specific doctrine," the minister said. "I think of a sect as a group that has broken away from an established Christian church."

He replied "No" to questions if "Hardshell", "Primitive" and "Foot-washing" Baptists qualified as sects.

School Officials Must Pay Tuition Grants, Cook Rules

The Atlanta Constitution
Thurs, 9-14-61

Atty. Gen. Eugene Cook ruled Wednesday that school officials must pay tuition grants to any applicant who wants to attend a private, non-sectarian school and is between the ages of 6 and 19.

Cook's ruling said it is "mandatory" that the grants be paid either from local or state school funds if three simple conditions are met. Whether or not schools in the system have been desegregated apparently makes no difference.

State Board of Education members immediately began demanding that the law be repealed by the next Legislature, and one member labeled it "a monstrosity."

Cook's interpretation of the law was that three conditions must be met to make any child eligible to receive the tuition grants:

"1. The grant is available only for attending a private school which is 'non-sectarian' and 'private' in nature.

"2. The grant is available for attending a 'school' — a term which connotes some semblance of an established institution, as distinguished from private tutoring or informal classes conducted on the street corner. . . .

"3. The applicant must be between the ages of 6 and 19, resident in the system, not already finished or graduated from high school, and must otherwise be entitled to attend the public schools in the system to which application is made."

The attorney general added, "If the requirements discussed above are met, the school authorities no longer have any discretion." He said the grant is "mandatory."

Meeting in its monthly session, the State Board of Education heard the ruling and immediately warned State School Supt. Claude Purcell that he must "set up procedures" to handle an expected flood of applications for private school tuition grants.

Board Vice Chairman Henry Stewart of Cedartown, presiding in the absence of Board Chairman James S. Peters of Manchester, and member David Rice of Atlanta joined in the warning.

The Atlanta Constitution
Thurs, 9-14-61

Rice termed the law "a monstrosity that serves no useful purpose," and expressed hope that "the law might be changed" by the next Legislature.

Board Member Francis Shurling of Wrightsville declared it was "an obviously unfair plan" but said Cook's ruling left no doubt that "eligible" applicants could demand and receive grants.

Purcell said he would bring Cook's interpretation before a meeting of county school superintendents from all over the state here next week.

LOCAL BOARD FIRST

Cook made it plain that the original decision in each case must be made by the local board.

Asked by Purcell which funds should be used, Cook replied:

"It is clear that the grants are paid from educational funds consisting of both state funds made available under the Minimum Foundation plan for Education, and local funds derived from the local educational ad valorem tax, which would include funds available for teachers and other school personnels' salaries, pupil transportation and other items of current expense."

Purcell also asked Cook what were his responsibilities as state superintendent if local boards refuse to pay the grants.

Cook cited the law and said, "Under this provision, it is your duty, in case you find that a local system wrongfully withheld a grant, to compute the grant (according to a state law) and to pay such grant in its entirety, both as to the state and local share, and to deduct such amounts from state funds allocated to the local system in question."

That was the ruling state officials have feared. They think that several million dollars of state funds conceivably could be taken up in such payments to school children.

PASSED IN 1961

The attorney general advised Purcell to set up rules of procedure so that he could determine whether local systems have "wrongfully withheld a grant."

The tuition grant law was passed by the 1961 Legislature as part of Gov. Ernest Vandiver's four-bill open school package. It implemented a 1954 constitutional amendment which provided for a private school program.

Cook pointed out in his three-page ruling, however, that the 1961 law restricted the grants to "schools" rather than allowing the grants only on the condition of "educational purposes" as the 1954 amendment had allowed.

14d(1) 1961

GEORGIA

OCTOBER
DUBLIN, GEORGIA
BREWTON SCHOOL BUILDING

Unused Brewton School Is Torn Up By Vandals

The Atlanta Constitution p.1
Wed. 10-4-61
Atlanta, Ga.

By BILL SHIPP
Constitution State Editor

DUBLIN—The 5-year-old Brewton school, built at a cost of $300,000 to Georgia taxpayers but never used, is being wrecked by vandals and thieves.

The state has been interested in turning the school into a hospital for mentally retarded children. But a local contractor estimates that it will cost another $350,000 to repair damages and convert the once modern, spacious brick school into adequate quarters for mentally retarded children.

In the five years in which the school has stood vacant, vandals have methodically shattered hundreds of windows in the buildings. Light fixtures in every room have been smashed.

Most of the plumbing fixtures have been ripped out of the wall. Many have been carted off.

Most of the blackboards in classrooms have been stolen. All the interior doors have been taken off their hinges and removed from the building. Obscenities are scrawled on the walls of every classroom. Woodwork in many rooms has been broken and splintered.

USED TO DRY SEED

The few work-tables and laboratory fixtures in one room of the school have been smashed.

A partition between rooms has been torn down.

A local farmer has been using the school auditorium as a place to spread and dry bahia grass seed.

Fire of mysterious origin has wrecked the school's heating system, and all the ventilator fans and many of the electric outlets have been ripped out of the wall.

PROTEST BLOCKED USE

Brewton School was never used because citizens of the Brewton community protested having a Negro school in their community. Their protest was not registered until the school was 95 per cent complete, according to records of the state school building authority.

This White Elephant Is Costly Monument

The Atlanta Constitution
Ed. Thurs. 10-5-61
Atlanta, Ga.

The Brewton school building near Dublin stands as a monument to hindsight, pressures and terrific waste.

Built five years ago, it was never used for its intended purpose because residents of the Brewton community registered belated protests to it serving as a Negro school. The state yielded to the pressure brought.

There has been talk of using it for various things, among them being a hospital for retarded children. Georgia certainly needs one. But it is extremely doubtful that conversion of what is left of the building, stripped by thieves and riddled by vandals, would be practical in view of the high cost involved.

Then, too, there might be objections raised when the repair job is about 85 per cent complete.

But we do hope some practical use can be found for the building, other than serving merely as a storage place for a farmer to store grass seed.

14d(1) 1961

GEORGIA

AUGUST

Will Keep Order, 4 Schools Assure Parents of Integrated

Some 4,000 Atlanta parents were assured by letter Tuesday that order will be maintained and all unauthorized persons will be barred from the grounds when school desegregation begins Aug. 30.

The letters were mailed by principals to parents of all children slated to attend the four desegregated high schools: Brown, Grady, Northside and Murphy.

Parents also were urged to cooperate by staying away from the schools during the first week.

Principals and other school officials will be available for conferences with parents either Tuesday, Aug. 29, or after Sept. 7, the letters explained.

By BRUCE GALPHIN

Deputy School Superintendent Rual W. Stephens said Tuesday that the majority of telephone inquiries received by the school department have concerned plans for keeping unauthorized persons, including newsmen, away from the schools.

The letters are designed to give detailed answers to these questions, he said.

"Non-school adults will not be admitted to the school building for an indefinite period beginning Aug. 30," the letters said.

"Spectators, sightseers and loiterers will not be allowed to assemble, either on foot or in automobiles, in the vicinity of the school. Adults will not be allowed to park in the immediate neighborhood," they added.

"A sufficient number of police officers and detectives will be on duty at, or in the vicinity of, the school for the safety and protection of the students, to maintain order and to regulate and control both pedestrian and automobile traffic," the principals' letters continued.

Other points covered in the regulations included:

1. A request to parents not to telephone the school "except for illness or dire extremity."

2. An announcement that students would not be allowed to bring cameras or radios to school, and that they must report immediately to their home rooms.

Rules for parking: At Grady and Northside, where space is available, students will be allowed to park on the school grounds. At Brown and Murphy, students may park in legal zones on adjacent streets. Parking on Charles Allen Drive NE from 8th to 10th Streets at Grady will be banned to aid the flow of traffic.

"We believe you can render a great contribution to our school and to our students by your own example of patience and understanding," parents were told in one letter.

"We believe you can help in creating and maintaining an attitude of good citizenship and respect for the law.

"Every effort will be made to protect your sons and daughters. We are optimistic in our belief that there will be no disorder caused by our students," it added.

38 Negro Students Granted Rehearing

Board to Reconsider Transfers Before Aug. 14, Letson Says

Atlanta School Supt. John W. Letson said Thursday that the Board of Education will hear a second appeal from 38 Negroes seeking desegregation transfers sometime prior to its regular Aug. 14 meeting.

The time has not yet been set, Letson said, "but I'm sure it will be before the next regular meeting."

Atlanta schools open Aug. 30.

Later, at a dinner meeting Thursday night, Letson said that interviews with students have assured him that desegregation will be accomplished in an orderly fashion.

Letson said a public school education would be worth little "if we do not build respect for law."

The superintendent made his prediction of orderly transition as he addressed a dinner meeting "reunion" of adults who accompanied Atlanta school patrol members on a May trip to Washington, D.C. Atlanta Police Chief Herbert T. Jenkins, Traffic Division Supt. J. T. Brown and Uniform Division Supt. T. J. Sikes were hosts. Eighty-odd guests included school crossing patrolwomen, school and PTA representatives, police, clergymen, Grady Hospital nurses and other chaperones of students making the annual trip.

The 38 transfer appellants are among 123 Negroes Letson rejected for transfers. He approved 10 others.

The Board of Education already has backed Letson's decision. The motion for reconsideration made by the 38 was a necessary step for appellants under court-approved pupil placement regulations.

Negro attorneys have hinted they may carry the case to federal court if the school board doesn't change its mind.

State Law Void, City Schools Say

By BRUCE GALPHIN

The first challenge to the state's constitutional provision for segregated schools was raised Monday by attorneys for the Atlanta Board of Education.

The separate schools provision is "null and void and in violation of Amendment 14 to the Constitution of the United States," the board's lawyers contended.

The contention was part of answers and demurrers to a taxpayers' suit seeking to cut off funds to Atlanta's four desegregated schools.

The documents were filed in Blackshear Monday with the clerk of the Pierce County Superior Court.

Although public school desegregation began in Atlanta in August under a federal court order, the state constitutional provision for separate schools never has been specifically struck down or attacked in court.

The Georgia Constitution, Article VIII, section I, states:

"The provision of an adequate education for the citizens shall be a primary obligation of the State of Georgia, the expense of which shall be provided for by taxation. Separate schools shall be provided for the white and colored races."

Using that provision, a group of Georgia taxpayers asked Judge Cecil Roddenberry of Nahunta to enjoin use of state funds in Atlanta's desegregated high schools.

Roddenberry temporarily granted the request. He restrained the Atlanta Board of Education, the state board and other state officials.

A further hearing on the matter was to be held later, but the Legislature.

But the constitutional requirement for segregation remains on the books.

Attorney General Eugene Cook once held that the sentence requiring separate schools was inseparable from the sentence granting the state authority to levy taxes for schools.

Some authorities have contended that if both sentences were knocked down together, Georgia would no longer have power to raise school funds by taxation. Georgia Supreme Court has stayed the order pending an appeal.

The answers filed Monday were directed to Roddenberry's court. They were signed by city attorney J. C. Savage and his associates, Newell Edenfield and A. C. Latimer.

The allegations of the fund cut-off suit, the answers contended, "are based upon and dependent upon that portion of . . . the Constitution of the State of Georgia which provides: '. . . separate schools shall be provided for the white and colored races,' which said provision . . . is unconstitutional, null and void in that the same seeks to enforce and require segregation of the races in public schools in violation of Amendment 14 to the Constitution of the United States . . . ."

Fund cut-off laws and other statutes requiring school segregation were repealed by the 1961

Vandiver Prepares Tuition Decision

By BRUCE GALPHIN

Gov. Ernest Vandiver is expected to say at a news conference Thursday whether he will release funds for 100 per cent state support of Georgia's tuition grant program.

The law providing for private school tuition grants has been on the books for 8½ months, but none has been paid out yet.

It is estimated that the number of requests for, or queries about, the grants runs into the hundreds statewise.

Under the 1961 act, the state school superintendent can force local systems to pay grants by deducting the amounts from state funds due the local boards.

However, under existing laws, it is also possible for Vandiver to allocate the full amount of the grants to the local boards.

Vandiver has announced previously that he has $1 million in reserve funds to back-stop the tuition program, but he has not said specifically how he will use the money.

School superintendents in the Atlanta, DeKalb and Fulton systems already have announced that they have no money to pay for any grants.

Vandiver thus has at least three alternatives:

1. To release enough state funds to finance the program in full.

2. To make the local boards pay part or all of the amount.

3. To delay his decision further on the grounds that the tuition grant law is now before the courts. (A suit was filed in Fulton Superior Court Wednesday seeking to force the Atlanta Board of Education to pay a grant to an Atlanta girl.)

At a meeting of school superintendents at Lake Jackson Thursday, school officials heard Asst. Atty. Gen. Donald Payton outline in a general way the proposed regulations governing tuition grant payments.

Vandiver probably will make details of the regulations public Thursday. Points covered included deadlines for filing for grants, the schedule of payments of the grants and standardized application blanks.

Payton indicated that the regulations do not cover one of the questions puzzling school officials: what year's enrollment figures to use when calculating the amount of individual tuition grants. The 1961 act does not specify what figures to use.

85 of 135 Negroes Fail School Transfer Tests

Eighty-five of the 135 Negro students applying for transfer to Atlanta's white high schools apparently have been ruled out by achievement tests currently under way here.

City schools spokesmen reported Wednesday that only 50 Negro student applicants are scheduled to take a second series of tests Friday morning.

Although Atlanta School Superintendent John W. Letson declined to say outright that the other 85 had been eliminated as potential transferees, forthcoming additional tests indicate they are no longer under consideration.

Tests to be administered Friday at Washington High School are standardized IQ and personality adjustment tests. School officials originally had indicated all 135 applicants would take these tests. However, spokesmen had also pointed out that in overall processing of applications, the number would be reduced when individual students failed to pass certain points in the school system's pupil-placement plan. Friday's tests are only part of a series scheduled in the court-approved desegregation plan.

Atlanta Attacks Legality Of Grants in Court Test

By CELESTINE SIBLEY

The first court test of Georgia's tuition-grant law, a measure school board attorney A. C. (Pete) Latimer told the court was "as full of holes as a piece of Swiss cheese," got under way in Fulton Superior Court Friday and gave promise of continuing well into next week.

A 20-page sheaf of demurrers attacking the constitutionality of the act, on grounds ranging from vagueness to the charge that it is discriminatory against children who prefer public school or are too poor to go to a private school, was filed by school board attorneys.

Judge Durwood T. Pye recessed the hearing to 9:30 a.m. Monday after acting on minor technical points raised in special demurrers. One of these was whether the parents of Carla Aiken, a sixth grade student at a private school in southwest Atlanta, who brought the suit, had actually demanded a tuition grant from the school board.

"Our answer denies that a demand was made and denies that she was refused a grant," attorney Latimer said.

"Is this just an exercise in legal gymnastics?" demanded Judge Pye. "Mr. Latimer, are you all willing to pay the grant?"

"No sir," Latimer replied. He said board members, against whom the suit was filed, would be liable for dispensing funds if the law is found to be "void and false" which they contend it is.

Judge Pye directed Moreton Rolleston, attorney for Carla and her parents, Mr. and Mrs. A. T. Aiken, to amend their petition to include dates on which demands for a grant were made. Rolleston's amended petition stated that the child's parents had written two letters and made two phone calls to the school board office asking for application blanks for tuition grants and he attached two copies of letters from Supt. John W. Letson which stated such blanks were not available. Letson's letters were dated May 3 and Aug. 1.

Judge Pye then overruled that particular ground in the school board's demurrers.

Other points raised by the school board attorneys, which the court is expected to act on next week, are that the law, enacted by the last session of the General Assembly, is unconstitutional because:

1. It provides grants only to students attending non-sectarian private schools, thereby discriminating against those attending sectarian schools.

DIFFERENT SUMS

2. Would operate so that two students attending the same school would get different amounts of money, depending upon the school district they are from.

3. Grants would vary according to the time students applied for them, giving early transferees more money.

4. Only students transferring from public schools would receive grants, resulting in "an unlawful discrimination against those already in private schools."

SEES DISCRIMINATION

5. Students leaving public schools would get a greater pro-rata share of school funds than those remaining in public schools, resulting in discrimination against public school children.

Latimer also urged that the law violates a federal law prohibiting states from passing laws which would impair the fulfillment of existing contractual obligations. Paying tuition grants would deprive the school system of funds for salaries and transportation programs already contracted for, he said.

The tuition-grant law was a part of Gov. Ernest Vandiver's "open school" package passed by the last Legislature.

Reveal Transfer Denial Reasons, City Board Told

Attorneys Say Pupils Not Given A "Proper Hearing"

By PETE GREENLEA

The Atlanta Board of Education has been ordered by the State Board of Education to tell 38 Negro students who were denied transfers to white schools this fall why they were turned down.

The 38 had been among 132 original applicants who applied for transfers under the "pupil placement plan" worked out by the Atlanta Board and which the Federal District Court here had approved after the Negro pupils had sued to enter the schools. They had appealed their cases to the State Board.

The local board admitted 10 applicants and turned down the others without any explanation in the record as to why they were not eligible. Nine of the accepted pupils are presently attending formerly all-white city schools, and were enrolled in September without racial incidents.

The 38 pupils were represented at the State Board hearing by Atty. E. E. Moore, who served as chief counsel during the Federal Court hearing before Judge Frank Hooper, and Atty. D. L. Hollowell, assistant counsel; while retired Atty. A. T. Walden sat in close conference. Several of the rejected pupils and their parents were present to hear the arguments during the hearing in the State Education Building.

Atty. Newell Edenfield, presenting the city's arguments, contended that since the Atlanta Board had given no reason for rejecting the pupils, they had no right to say that they had been denied the transfers on a basis of race. He also denied the Negro attorneys contentions that tests given to the Negro pupils were an unfair burden because they were not administered to white students. He said a white girl who had asked for a transfer was given a test also, and also denied a transfer.

Atty. Hollowell argued that the Atlanta school board's action was based "solely on race and color" and therefore was in violation of their Constitutional rights in relation to the "due process of law" and a violation of the court-approved pupil placement plan.

Atty. Moore cited several documents from local board files to prove that the Negro applicants were as qualified to attend the schools they desired transfer to, as white pupils already attending them.

He pointed to scores made on standard achievement tests that are regularly given city school pupils, and which had been given the applicants before they had applied for transfers. Their scores, he said, were equal to and higher than many white pupils in the schools, as shown by achievement tests the white pupils had taken.

The Negro attorneys also contended that the pupils were not given a proper hearing before the Atlanta Board in connection with their denials, in that the attorneys were not allowed to question Superintendent John W. Letson or other administrative officials about their reasons for denying the transfers. They said they could only assume by inference the decisions were made on the basis of the achievement tests or race. He said the administrative officials were acting in a "judicial capacity," and should have allowed questioning.

Apparently already prepared to render a decision, Chairman James W. Peters of Manchester, Ga., called the proceedings to a halt and allowed Francis Shurling of Johnson County to make a motion. Shurling read an already prepared motion which in effect said the State Board could not act on appeals if it did not know the reasons for the denials, and remanded the cases to the Atlanta Board with instructions to give each of the 38 students a hearing and a reason for denial.

Atty. Moore, during his argument, pointed to the record of one pupil as an example. He said Thomas Wynn made a score on an achievement test of 85.4, which was higher than 66.86 percent of the white pupils at the school to which he had wanted to transfer. He said the Board had apparently ignored both the achievement level and the proximinity of the Negro students to the schools to which they had applied for transfers, and this, he contended was an unconstitutional application of the law.

Atty. Hollowell declared that the very policy of the Atlanta Board in requiring Negro students to take tests to transfer was an unconstitutional application of the law.

Both Hollowell, Moore, and Walden were pleased with the decision of the State Board. Atty. Moore said: "We feel that the Board in remanding the case to the city of Atlanta is a fair and proper decision . . ."

Atty. Hollowell commented: "This was really in substance what we were asking for."

GIRDS FOR EXPECTED INCREASE

State School Board Adopts New Rules on Race Appeals

The Atlanta Constitution p. 9

- The State Board of Education Wednesday approved a new procedure on appeals to the board in anticipation of an increased number of segregation-related appeals from local school board decisions. Thurs. 9-14-61

New rules, spelled out in several single-spaced typewritten pages, were described by State Superintendent of Schools Claude Purcell as a general revision to make them closer to standard legal procedure.

Previous rules were "too general in phrasing," Purcell said. New rules, prepared by the state Law department, set specific time limits on appeals, procedures for local boards to follow, and ground rules for hearings before the state board.

LITHONIA APPEAL FAILS

In other actions the board approved more than $90,000 worth of new building projects in schools over the state; denied the appeal of a group of Lithonia school patrons who had sought to keep the DeKalb Board of Education from moving the Lithonia elementary school, and approved the offering of $32 million worth of School Building Authority bonds.

Largest building application okayed Wednesday was from the Glynn County school system, which plans to build 48 classrooms in two projects at a cost of $71,672. Other projects approved: Cook County, six classrooms, $8,256; Wheeler County, four classrooms, $2,800; Jefferson city school, 10 classrooms, $3,912, and Pelham city school, four classrooms, $3,674.

SPEEDS PROJECT

Approval of projects means that local school systems can have plans drawn for the buildings and decide whether to finance them through annual allotments from the state or through the State School Building Authority.

Board action on the Lithonia appeal was unanimous on a motion by member David Rice of Atlanta. Herschel H. Hutchins, attorney for the Lithonia group, contended the DeKalb Board of Education was exceeding its authority in moving the elementary school there. Murphey Candler, representing the DeKalb board, said the shift was a routine one in a series of five such moves by DeKalb aimed at separating high and elementary schools.

RAPID READING EYED

Board members Wednesday afternoon witnesses a dramatic demonstration of a new "rapid reading" technique staged by an Atlanta housewife, an Agnes Scott sophomore, and students from Bremen and Avondale High schools.

Board Vice Chairman Henry Stewart of Cedartown told Purcell he felt the technique would aid Georgia school children, and two other board members, Francis Shurling of Wrightsville and Paul S. Stone of Waynesboro, said they planned to take the course themselves. Purcell told the board he would ask his staff members to make suggestions for a possible pilot training course in state schools.

OTHER ACTIONS

The board commended a current series in The Constitution "How to Make Better Grades," by Mrs. Bernice McCullar, director of information for the state Department of Education.

In other actions the board:

(1) Approved technical changes in state plans for use of federal funds in practical nurse training, and in a test-scoring service formerly offered by the state Department of Education and now available only from the University of Georgia or private groups.

(2) Approved a request from Purcell that the overall state school budget be amended to provide matching funds for a planned future trade training center for the physically handicapped at Warm Springs. A resolution passed by the board pointed out that construction of the center is "not feasible at this time," but said funds should be provided "at the earliest possible date in order to match available federal funds." Board member Mrs. Bruce Shaefer of Toccoa asked to be recorded as not voting.

(3) Received copies of resolutions passed at a recent session of the Georgia Association of School Superintendents, including one urging county commissioners to institute property re-evaluation "at the earliest possible time."

(4) Set a two-day meeting for Oct. 24 and 25 to coincide with an Atlanta convention of the Southern region of the Association of State Boards of Education. Stewart is national vice president of the association and another Georgia board member, Stone, is a regional vice president.

Copter Talk

You Can Help Avoid Integration Strife

Sgt. L. A. Pendergrass flies over Atlanta each day in the police helicopter observing and reporting on traffic.

By SGT. L. A. PENDERGRASS

The integration of our public schools, which is to take place on Wednesday of this week, has been anticipated by some with misgivings and by others with a feeling of confidence.

Whatever your feeling, one thing must be remembered—the opening of the schools must be carried out in an orderly and peaceable manner.

The Board of Education and the Police department have worked hand in hand to make school opening as near normal as possible. There will be a squad of policemen at each school to be integrated to see that your children are protected.

This surveillance will be continued on a 24-hour basis so long as it is felt to be necessary.

Streets around the schools will be kept open for the movement of traffic and, as usual, parking will not be allowed in front of the schools.

Sidewalks adjacent to the schools will be out of bounds to anyone who is unauthorized, and loitering in the vicinity of the schools will not be tolerated.

We in the Police department are very optimistic about the task ahead, but, on the other hand, we are not overconfident. We are prepared for anything that may arise.

We ask the help of each and every parent and citizen in making this an uneventful success.

Police Here Serve Notice On Agitators

BY GORDON ROBERTS

Atlanta police have served notice on every potential trouble-maker and agitator that law and order will prevail when schools open Wednesday and they are optimistic their warnings will be heeded.

Never before has the police department prepared for an impending event with such intensity and determination as for the desegregation of four Atlanta high schools.

Police plans call for no-foolishness transition.

Nothing which could cause violence or rowdy demonstrations will be tolerated.

It will be a jail-now, ask-questions-later fate for those who would upset the peace.

NO FAVORITES or special interest will be courted.

Police are under orders to serve only one cause: The law.

Though there is optimism that desegregation will go smoothly police are prepared for anything.

"My job is to look for the worst and I've prepared for it," Police Chief Herbert Jenkins said.

Important to this city is the fact that a majority of citizens, civic, business and church leaders support the police department. Other Southern cities which have seen racial violence have not been so fortunate.

IT IS SIGNIFICANT that a number of persons whose activities are being most closely watched by police security officers are from out of town, known racists and anti-Semites who see Atlanta's problem as another chance to give vent to their hatred.

Chief Jenkins says he knows such men have converged on Atlanta and he knows what they are doing.

If they violate the law, he said, they will be virtually picked up by the scruff of their necks and carted off to jail. The same goes for any law violator.

This has been announced and reiterated through the news media in recent weeks and it has had its effect.

* * *

ONE STAUNCH segregationist was asked last week what plans, if any, his group had for demonstrating in protest. Whatever the plans are, schools are not included.

"A man would be a fool to go down there knowing that he's going to get locked up," the man said. "There's no use butting heads against the law."

Chief Jenkins pointed out that Atlanta has the benefit of hindsight and can profit by the mistakes made in other cities faced with school desegregation, so-called freedom riders or sitins.

"We found their mistakes, and we're not going to make them," he said.

Atlanta police observers were on hand in New Orleans, Little Rock, Jacksonville, Montgomery, Birmingham and Athens, Ga., when racial disorders occurred.

* * *

CHIEF JENKINS is proud of the backing citizens have given his department.

"I've never seen on any project so much community effort and community pride put forth. I'm convinced that most people here are not for integration but they are prepared to accept desegregation generally with dignity and maturity. We're not juvenile delinquents," he said.

He said essentially the same thing in 1956 when the handwriting was already on the wall and planning underway.

Up north on a convention, Chief Jenkins was asked by a newsman about the 1954 Supreme Court decision and Atlanta.

"When it comes, Atlanta will accept it with peace and order," the chief told the writer.

* * *

IN DECEMBER, 1960, Chief Jenkins' posture on the race question was that of a law officer and he told his men that they must stand beside him.

"I am prepared to yield to the judgment of the Supreme Court. Why? Because as law enforcement officials, there is no other position that we can honestly take. Our country is a country governed by law and not a country governed by man or a dictator," he told Atlanta policemen.

"As policemen, we are the law," Chief Jenkins declared.

Thus was the tone set almost 10 months ago for what is to take place three days hence.

State and city laws on the subject are plain. They say, in effect, that no person shall do anything to disturb a school or its pupils.

* * *

POLICE will be on guard at all four of the high schools 24 hours a day for at least a week, and perhaps longer, after openings.

A 10-man detail will be assigned to each school, including a night officer with one member of the K-9 corps.

There will be approximately 20 men on special details in reserve, including a helicopter patrol and a special squad which can bring into play at a moment' notice elaborate anti-riot equipment.

A paddy-wagon will be standing by at each school, reminiscent of the way the vehicles cruised the downtown area during the sitins last winter.

There will be no loitering or gatherings permitted on streets and sidewalks around the schools.

Virtually everyone and everything will be kept moving. No unauthorized persons, including newsmen, will be allowed on school property or inside any of the buildings.

* * *

CHIEF JENKINS said these regulations, as advanced by the school and police departments and backed up by the law, will be more stringently enforced against persons who have a reputation for causing trouble.

The school system, religious and civic leaders have not sat still while the police made their plans. These groups also have been working, almost hand-in-hand, toward a peaceable school opening.

White students at the high schools have adopted creeds to guide their conduct.

They have been warned not to take part in any demonstrations or do anything untoward which could cause disorder, or face possible suspension.

* * *

THE NEGRO transfer students have run the gamut of orientation.

They were given a chance to learn their way around the schools, to meet officials and some of their fellow students. They, too, have been warned to watch their step.

And last-minute planning continues. Chief Jenkins will meet Tuesday with officers in charge of the 10-man school details for a final briefing session.

Nowhere else in the South has the stage been set for desegregation amid such elaborate planning.

OASIS Speaker Asks Restraint In Desegregation

A representative of Organizations Assisting Schools in September has urged members of the American Business Club to encourage others to show restraint when schools are desegregated Wednesday.

Attorney Maurice Hilliard Jr. told the civic group Friday: "Let us display restraint; better yet, let us encourage it in others."

He said he believes order will be maintained. "I think the first man that steps out of line will be made an example," he said.

850 Laymen Urge Order In Schools

By FRED POWLEDGE

Eight hundred and fifty white Atlanta church laymen on Saturday asked the school children of Atlanta to accept the coming desegregation of public schools with dignity, respect for the law and a belief in the Golden Rule.

The laymen represent three major faiths, 14 denominations and 82 different houses of worship in Atlanta.

In signing the statement, released Saturday, the men and women made it plain that they are doing so as individuals.

IN THE letter, the churchgoers ask their children to accept the sociological change "with dignity, doing no act of defiance or ill manners which can reflect on you, your faith, your rearing or your community . . . to recognize that obedience to the rules of law . . . [illegible] in our spiritual faith . . . and "to accept this change prayerfully . . ."

In releasing the statement, a spokesman for the laymen said an effort was made to "enlist representative or key laymen of the different faiths and congregations rather than a large number of signatures." He said the statement was circulated only among the congregations of the white community, and added:

"Our ministers, priests, and rabbis have spoken out. So have our Negro citizens. We felt it was time for us, the white laymen of the city, to make our views known."

THE FAITHS and denominations represented in the 850 signatures are Baptist, Catholic, Christian, Christian Science, Congregational, Episcopal, Jewish, Lutheran, Methodist, Nazarene, Presbyterian, Quaker, Seventh-day Adventist, and Unitarian.

The text of the "Layman's Letter to His Child":

"Soon you will be going back to school again. That day you will stand alone. You depend now upon me for guidance in your conduct as the schools are desegregated.

"You depend now upon my years, my judgment, and whatever godliness I possess to guide you as I have cherished and instructed you from the cradle.

* * *

"THEREFORE, as a layman who worships Almighty God, and who acknowledges our need for

a peace and guidance greater than the world gives, I say to you:

"This change is now come, and I counsel you to accept it with dignity, doing no act of defiance or ill manners which can reflect on you, your faith, your rearing or your community.

"No matter where I may have stood in the debates of my generation, I now counsel you to meet the unfamiliar with calmness, dignity and peace;

"To recognize that obedience to the rules of law, which bring order to our family society, is rooted in our spiritual faith, and must be respected and revered;

"To hold fast to our teaching that hatred, lack of charity, and scorn for any human is unworthy of us;

"And to accept this change prayerfully, praying with me that we be not fearful but sustained; not vengeful but understanding; not wilful but worthy; not faithless but assured of God's grace to help and guide us;

"And that in this my judgment governing your lifetime more than mine, I may be in the memory of you who are God's matchless gift to me, not small, but godly."

Financing Of Tuition Is Debated

By BRUCE GALPHIN

State officials were at odds Wednesday about who would pay for private school tuition grants and where the money would come from.

Gov. S. Ernest Vandiver in a television address Tuesday night said he was authorizing the State Board of Education to provide tuition grant funds "from its regular appropriation."

But State School Supt. Claude Purcell asserted Tuesday that all regular appropriation funds already had been allotted for specific purposes.

ADDITIONAL FUNDS

Unless the governor allots additional funds or at least signs a budget order transfering existing funds, Purcell said he could not legally expend money for tuition grants.

"If no funds are allotted specifically by the governor, then the only way I know to pay for tuition grants is to take it out of funds already allocated to the local school systems or from local money," Purcell said.

Vandiver was out of the city Wednesday, but an aide said the governor plans to make no additional budget transfer to the State Board of Education.

PROBLEM LIMITED

The problem of tuition grants appeared to be limited to requests from the Atlanta school district in the year 1961-62.

Although the tuition grant law makes no reference to desegregation, the governor in his speech Tuesday night said the State Board of Education was authorized to approve grants only when the applicant was "striving for an education under absolutely intolerable conditions."

LIMIT TO ATLANTA

It was understood that the only "absolutely intolerable conditions" the governor had in mind were those of desegregation. That would limit the question this year to Atlanta.

A spokesman for the Atlanta board meanwhile contended, as did Purcell in the case of the state board, that there were no funds available to finance tuition grants.

All available funds have been allocated for specific purposes, the spokesman said.

Suit Seeks Funds Ban in School Fight

An Atlanta lawyer has asked for an injunction to prevent use of state funds to finance legal fights against federal court decisions.

The attorney, Henry M. Henderson, charges in a suit filed in Fulton County Superior Court that the state is without authority to spend public money to oppose federal court rulings.

State Treasurer George B. Hamilton and Attorney General Eugene Cook are the direct targets of the suit. Henderson asks that Hamilton be ordered not to pay any funds from the state treasury for services calculated to resist, evade, delay, forestall or seek reversal of Supreme Court decisions.

He also asks that Cook be enjoined permanently from directing and permitting the use of Law department personnel to work on similar projects.

Henderson did not name any specific case, but members of the Law department staff and special legal counsel employed by the state are preparing arguments for a federal court hearing Wednesday in the case of an Atlanta girl seeking to transfer from a school which will be integrated to one which will remain white.

Integration Survey Accents Tuition Aid

A state Senate education subcommittee studying school desegregation problems recommended strengthening of Georgia's grant-in-aid law in a preliminary report released Sunday.

The subcommittee also urged immediate attention be given to the question of repealing compulsory school attendance laws.

The report said subcommittee members visited Virginia and North Carolina the week of Aug. 7 and discussed school integration problems with officials and educators in both states.

As a result, the report said, "We are convinced that the grant-in-aid law adopted by the 1961 Georgia General Assembly is one of the most significant statutes yet adopted in this battle to maintain states' rights and constitutional government."

"Whatever the qualms and criticisms of those who assail the state government for taking this course, the dire predictions of fiscal bankruptcy and impairment of the existing school system," the report continued, "it is manifestly clear that tuition grants constitute the principal alternative to forced association and all the evils of racial amalgamation."

"We recommend that the plan be strengthened, and not be permitted to suffer at the hands of integrationists parading under false colors as champions of the public school system," the report said.

The subcommittee report said that the repeal of compulsory school attendance laws in Virginia "has not noticeably reduced the average daily attendance and that fears in this direction are groundless."

"Committed as we are to 'freedom of choice' and faced with the reality that freedom cannot be realized under present laws," the report continued, "we recommend that immediate attention be given to this problem and that such legislation as is required be enacted. We will have a specific recommendation in this area to make to the next session of the General Assembly."

In addition, the subcommittee recommended the State Department of Education request school officials and teachers:

"Take note of the need of treating students who are enrolled in a school by order of court, or otherwise, which they would not attend under laws of this state, in such a manner as to show them no partiality or special treatment and not to allow them to be the objects of special publicity."

14d(1) 1961 GEORGIA AUGUST

ATLANTA- 600 CHURCHES PRAY FOR PEACEFUL INTEGREGATION

600 Atlanta Churches Pray For Orderly Desegregation

The Atlanta Constitution

Atlanta ministers and lay leaders of Atlanta churches joined Sunday in urging absolute observance of law and order when four high schools are desegregated here Wednesday.

The weekend had been designated as "Law and Order Weekend" and started with observances in Jewish synagogues Friday. The more than 600 churches in Atlanta were asked to take part in insuring peaceful compliance by the public with court-ordered desegregation of the schools.

At Virginia Avenue Baptist Church, Elliott T. Jackson, Atlanta's Civil Defense director and Sunday school superintendent of the church, spoke to the congregation at the 11 a.m. services.

"This is the time for all of us to act on Christian principles," Jackson said. "If we fight with each other within our own country, any enemy can destroy us without having to use any bombs. If we are disorganized within, they can just reach over and pluck us."

The Rev. J. Omer Jones, pastor, asked the congregation to "act in a way to honor God" during the desegregation crisis. The Rev. J. V. James, of the Baptist Home Mission Board, who is a member of the Virginia Avenue Baptist Church, prayed a special prayer asking for God's help toward law and order when the schools are desegregated.

In a televised sermon Sunday from Grace Methodist Church, the Rev. Cecil Myers asked the application of Christian principles—"as Christ would have us do as good Christians and good citizens" in the face of desegregation.

Dr. Myers prayed for "calmness, dignity and understanding" as the city comes to desegregation in its schools.

"Force and ill will can never create anything," the pastor said in his sermon. "Love is creative and constructive."

In his benediction, the pastor asked that love prevail, "in our hearts, in our lives, in relation to our work, our schools."

The Rev. Henry J. O'Bryant at Tenth Street Methodist Church, prayed that the "maturity of our Christianity be manifest in the days ahead."

At First Presbyterian, the Rev. Harry Fifield's prayers were devoted towards guidance of Christians and for the spirit of God to prevail in the community. Dr. Fifield's sermon was on the meaning of brotherhood.

"The most significant truth in realizing Christian brotherhood is the fact that it is not an end ever obtained of itself, but the result of certain characteristics and traits . . . for instance it comes from humility," Dr Fifield said.

". . . After all, is it not pride that shatters Christian brotherhood more than anything else?" the pastor asked. "That is, denominational pride, doctrinal pride, sectional pride, racial pride, social pride, personal pride . . ." Dr. Fifield continued.

RACIAL PRIDE HIT

At Morningside Baptist, the Rev. James P. Wesberry based his sermon on "Sicknesses of the Soul," bearing heavily on a peaceful desegregation of the public schools. He took for his text the words of Jesus: "They that be whole need not a physician, but they that are sick." (Matthew 9:12.)

He said that many Atlantans are sick with "racial pride and prejudice. . . . There are some who look down on other races, and there are multiplied thousands of Chritsians who in their attitude towards those of other races are non-Chritsian . . . Christians must be too big for hatred . . . they must get rid of resentment. . . ."

At Wesley Memorial Methodist Church in downtown Atlanta, the Rev. Allen A. Phillips called desegregation week a "new week within the life of Atlanta. . . . It is something this generation has not experienced. I am hoping that we at Wesley Memorial will face this issue as Christian people—that we will enter into no violence. . . . Remember that Jesus said, 'Render unto Caesar the things that are Caesar's and unto God the things that are God's.' "

At Central Presbyterian, the Rev. Fred R. Stair Jr. asked in his church bulletin that members of his congregation know the "issues, the desegregation plan. . . . There are those among us who use half-truths, lies, innuendos, and arouse emotion and fanatical demonstrations. Oppose these and with facts. Truth will out. . . ."

At the Lutheran Church of the Redeemer, the Rev. Robert E. Lee preached: "What happens in Atlanta on Wednesday of this week and in the succeeding days and weeks will speak more clearly to the world about the genuineness and the vigor of a democratic society than a thousand diplomatic notes to the Kremlin avowing our belief in a way of life and government which respects the dignity and freedom of all people. . . .

"What happens this week is happening 96 years too late," he continued. "It should have happened in 1865. The decisions which bitterness put upon our nation in 1865 have plagued and haunted us for nearly a century. Today we must do what, because of hurt and bitterness, men could not do in that time of testing."

CAN SET PATTERN

At Trinity Methodist, the church bulletin emphasized: "It is God's will that our great city be a model in law observance and Christian conduct. If we follow His will, then our city and our people will show to the world how great changes can be made in a Christian and democratic way. If we do otherwise, then our fair city will be synonymous with Little Rock, New Orleans and Montgomery."

The bulletin was sent as a message to the entire congregation.

At Decatur First Baptist, the Rev. Dick H. Hall Jr. devoted his whole sermon to the desegregation question: "We in this area can set a pattern for those in other areas. I hope that we (in this congregation) will encourage those in Atlanta to conform to the orders of the court. . . . The Bible teaches us that Christians should obey those in authority . . . and there is no question since our government has decreed integration as the law of the land . . ."

MUST BE FRIENDLY

"Christians must go beyond the letter of the law and be friendly," he continued. "It is not just a matter of having a truce. . . . Christ taught us it is possible to live in harmony with all people."

The Rev. Allison Williams of Trinity Presbyterian used "Law and Order Weekend" as the keynote of his sermon. Participating in the morning service was a student from Northside High School, one of the four to be desegregated. Sunday night, Dr. Williams joined with the Rev. Candler Budd at Northside Methodist Church in a meeting for parents of students attending Northside High. W. H. Kelley, principal of Northside, and Superintendent T. J. Sikes of the Atlanta police department also spoke.

Negro ministers also asked their congregations to approach the critical day with calmness.

"The keystone of Christianity is love," the Rev. H. I. Bearden of Big Bethel AME Church said. "That love is not just for those in your church or your racial group. That love is all-inclusive.

"This is a good town and can still be a happy town with no marks on it (after Wednesday)," he continued. "We must each remember to take a stand for good in our country as well as in our church."

The Rev. R. T. Bussey of Flipper Temple AME Church asked his congregation to be "calm and helpful. Remember we have a big stake in this thing. We must be constructive in every way."

In his prayer, the Rev. Mr. Bussey asked for guidance and asked God to "soften the hearts of those who would resist." He also asked God to continue to give the city good race relations.

Churchgoers Will Pray For Peaceful Integration

Atlanta Constitution

By BRUCE GALPHIN

Prayerful Atlantans this weekend are asking for peaceful desegregation of the public schools in houses of worship throughout the city.

All faiths and denominations are observing the period as "Law and Order" Weekend.

Most Christian churches will conduct special observances Sunday and most Jewish synagogues on Saturday.

Atlanta Ga

At one of the first services—at the Jewish Temple Friday night—Rabbi Jacob Rothschild led a congregation of approximately 600 in a service which emphasized brotherhood.

The service was followed by a forum which included Rabbi Rothschild, Dr. John W. Letson, superintendent of schools, and Arthur Vann Gibson, president of the Greater Atlanta Council of Churches.

Dr. Letson told the congregation he has faith in the maturity of Atlanta's schoolchildren.

"They have displayed the maturity and good thinking so far, and we hope they will continue to do this when the schools open next Wednesday," Dr. Letson said.

He also said that he and city officials have taken and will continue to take the necessary steps to see that law and order prevail if any conflicts arise.

The Rev. Mr. Gibson said, "our churches will be open to the public for anyone who desires to pray for peace when the schools open. We sincerely hope everyone will show a sense of decency and faith during this time."

About 750 houses of worship in the Atlanta area are expected to take part in the weekend observance.

Many will have special sermons on the subject of school desegregation. Others will offer special prayers for a peaceful school opening.

In addition, the Council of Churches has appealed for special prayer services in churches and homes Monday, Tuesday and Wednesday, and for chapels and churches to be open at convenient periods during the day and evening for private meditation.

"Law and Order Sunday" was proposed last June by the Assembly of the Greater Atlanta Council of Churches.

The resolution recommended that every pastor adjust his vacation plans so that he may personally lead his congregation "in a concerted city-wide moral and spiritual emphasis on peaceful compliance of the court order . . ."

Four Atlanta high schools—the first in Georgia—will be desegregated Wednesday with the admission of 10 Negro children. They are Northside, Brown, Grady and Murphy High Schools.

Vandiver Cuts School Fund, Putting $1 Million in Surplus

The Atlanta Constitution
P. 15

By MARVIN WALL

Gov. Ernest Vandiver took steps Thursday which, in effect, added $1 million to the state's surplus.

Vandiver announced that he has approved allocation of $183 million to the State Department of Education. This was $1 million less than the State Board of Education had requested.

Fri. 8-11-61

And he also announced that it is up to local school systems to pay for tuition grants.

The $1 million is a bonus for the state that resulted from an unexpected increase this year in the "chargeback," the funds that local school systems are required to raise on their own for the Minimum Foundation Program.

When it became known several months ago that the extra $1 million would be available, Vandiver said the $1 million would be held for "emergencies." It was presumed at that time that he meant financing the new tuition grant law.

Atlanta, Ga.

Now, however, Vandiver says it's up to local school systems to pay tuition grants and he's refused at this time to allow the extra $1 million to go to the Department of Education budget.

The Board of Education had planned, it was learned Thursday, to apply the $1 million to school maintenance and operations funds.

That would have been an increase in maintenance and operations funds of $31 for each state-alloted teacher. The present maintenance and operations allotment is $450 a teacher.

State Schools Superintendent Claude Purcell pointed out that a school finance consultant recently termed maintenance and operations allocations one of the weakest spots in Georgia's education expenditures.

PURCELL HOPEFUL

Vandiver's announcement pointed out that the total education budget—including state, federal and local funds—is the same as required by the Minimum Foundation Program.

However, the required local effort—or "chargeback" portion of the budget—jumped an unexpected $1 million to $25.7 million. This enabled the $1 million reduction in the state portion of the budget, which Vandiver is holding.

Purcell said he still believes the $1 million eventually will be made available for school purposes when the Board of Education and Vandiver can get together on how it should be allocated.

OFFSETS SURPLUS

If Vandiver holds onto the $1 million, however, it will more than offset about $820,000 from the surplus which Vandiver allocated in his statewide television speech Tuesday night.

Vandiver announced to his television audience that he was making the surplus funds available for tax revaluation loans and for pay raises for state employes.

College Park Site Selected for School

The Atlanta Constitution
P. 18

The Fulton County School Board Thursday set a tentative target date of mid-January for beginning construction of a new $830,000 Negro high school in College Park.

Fri. 8-11-61

After months of hunting for a suitable site for the school, the board appears to have settled on a 17-acre tract in the center of College Park's urban renewal area.

Atlanta, Ga.

The board was told that a second appraisal of the land's value should be available next week. A first appraisal indicated the land likely could be bought for about $50,000, the maximum amount the board has said it can pay for the site on Princeton and McDonald roads.

If the second appraisal is favorable, Board President W. L. Robinson said architects would be authorized to proceed immediately with drawing plans for the school.

"Our fondest hope is that it could be completed during the fall of 1962," said County School Supt. Paul West. But he added the school wouldn't be finished before the first of 1963.

In other action, the board received apparent low bids totaling $295,817 for construction of additions to three elementary schools. The schools and apparent low bidders are:

Rico Elementary, near Palmetto, Pinkerton and Laws—$141,000; Underwood Hills, 335 Colewood Way, NW, Sandy Springs, Charles H. Hardin Construction Co. — $89,492, and Hopewell Elementary, near Alpharetta, Warshaw Construction Co.—$65,325.

School Fund Racial Case Is Postponed

The Georgia
Times-Union
P. 21

Special to The Times-Union

WAYCROSS, Ga., Sept. 11—A scheduled hearing on a petition to cut off state funds for desegregated Georgia schools was postponed today until Friday at 2 p.m.

Tues. 9-12-61

Superior Court Judge Cecil Roddenberry said both sides agreed to the delay, but an Atlanta source said the attorney general's office apparently had asked for the additional time.

Attorneys Walter Cowart of Savannah and Robert Cork of Valdosta have served notice that they will seek an injunction to bar the State Board of Education from spending money in violation of the state constitutional provision calling for segregated schools.

Jacksonville

Judge Roddenberry will hear the arguments because a member of the State School Board, Lonnie Sweat of Blackshear, resides in his judicial circuit.

Dade Filing Its Case to Shut School

Atlanta Constitution
P. 12

TRENTON (AP)—An appeal of the Dade County Board of Education's decision to close the New Salem Elementary School will be submitted to the state superintendent of education Thursday.

Mon. 9-14-61

The appeal is being made by residents of the New Salem community. It will be reviewed by the state school board.

Dade School Supt. D. O. Chumley said Wednesday that he has been working for the past week in getting the documents ready to submit to the superintendent in Atlanta.

The county board closed the school and established the Lookout Mountain Elementary and Junior High School at the old Flintstone Air Force Station. The state board can either affirm or overrule the county board's decision.

Some New Salem parents at first refused to send their children to the new school, some 14 miles away from the community. Chumley said the boycott apparently has been abandoned.

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Legal Moves Harass Educators In Georgia

By Joseph H. Baird
Special Correspondent of The Christian Science Monitor
Atlanta

Although Georgia has carried out token racial integration of its state schools on both the college and high school levels, three separate legal fights over the issue continue to harass educators and perplex many citizens.

Within the past few days:

1. A superior court in south Georgia, acting on the petition of 11 taxpayers, ruled that state school funds cannot legally be supplied to four integrated Atlanta high schools. Attorney General Eugene Cook announced the decision would be appealed to the Georgia Supreme Court.

2. Meanwhile, Mr. Cook has handed down a ruling that local school boards must give grants-in-aid to attend private schools to any child between 6 and 19 who asks for them and meets certain qualifications. The superintendents of school systems in Atlanta and nearby De Kalb and Fulton Counties, where a total of more than 50 such requests are pending, say they have no funds for private education and will not make grants until the issue has been threshed out in the courts.

3. And attorneys employed by the State of Georgia in pleadings filed with the United States District Court here have advanced the "white supremacy" argument in behalf of a white girl who is seeking a transfer from an integrated Atlanta high school.

Georgia Tech—a First

Amid these legal skirmishes, the Georgia Institute of Technology in Atlanta Monday was to become the first school in the state to integrate voluntarily and without a court order. Three Atlanta Negro high school graduates—Ford Greene, 14; Lawrence Williams, 18; and Ralph Long Jr., 17—were granted admission several months ago.

Edwin Harrison, President of Georgia Tech, has said he expects no trouble. However, as a precaution state patrolmen and Atlanta police will supplement the school's regular 20-man security force on the campus for a few days, and unauthorized adults have been barred from the school temporarily.

The court order seeking to deprive Atlanta's four integrated schools of state funds was issued by Judge Cecil M. Roddenberry of the Superior Court at Waycross in South Georgia as a result of a taxpayer's suit. His ruling was based on a section of the Georgia Constitution which provides that "separate schools shall be provided for the white and colored races."

All of Georgia's school-segregation laws were repealed last winter by the General Assembly, but the repeal of a section of the Constitution can be accomplished only by the voters in a general election.

Superintendent John W. Letson of Atlanta schools said that he had ample funds on hand to operate the four integrated schools until Jan. 1, 1962. Meanwhile, A. C. Latimer, attorney for the schools, has expressed the opinion that Judge Roddenberry's ruling will not stand up in higher courts.

Funds Needed

The fight over grants in aid to pupils wanting to attend private schools appears to be a more serious and complicated matter. It traces back to the "freedom of choice" law passed by the last General Assembly on Governor Vandiver's recommendation at the time the segregation laws were repealed and was designed to make it possible for students who felt strongly opposed to integration to escape it. However, the Legislature provided no special funds for this purpose.

Recently Governor Vandiver said he was earmarking $1,000,000 for grants in aid. Earlier he had said local boards must provide tuition for pupils who wanted to move from integrated schools to avoid "intolerable conditions." The Atlanta school system refused all grants.

Now Mr. Cook says they must be made from either local or state funds. Presumably if the state advances the money directly to the pupil, it will be subtracted from the local school's state allotment. Atlanta still says "no." Apparently the issue will be decided by the courts.

The "white supremacy" argument, which has not been heard for a long time, was advanced by Mr. Cook and five special attorneys employed by the state in a case arising from the plea of Sandra Milkild, a student at the integrated Northside High School, whose father requested her transfer to Dykes High School, which still is entirely white. The Atlanta Board of Education denied her a transfer.

Subsequently, the State Board of Education overruled the Atlanta board, which then obtained an injunction from Judge Frank A. Hooper of the federal court temporarily restraining the state board from interfering with the court-approved Atlanta school integration plan.

Arguments of the state's attorneys were made last Friday on the question of whether the restraining order shall be made permanent. They appealed for a jury trial on "issues of fact," which would include the question of whether there is an inherent mental inequality between the white and Negro races.

Mr. Cook and his five associated attorneys attacked the original United States Supreme Court decision of May, 1954, in the Brown case, declaring it was "premised on a fundamental supposition or presumption of inherent equality of races which was and is wholly at variance with the truth."

The attorneys held that there are "inherent disparities and inequalities between the white and colored races as to culture, general intelligence, and educability."

Hence, they argued that if Miss Milkild were forced to attend integrated Northside High she would suffer "intolerable psychological damage." There are three Negro students and about 1,000 white students in the school.

GEORGIA

Georgia Will Aid Schools In Financial Difficulties

ATLANTA (AP) — Gov. Ernest Vandiver said Thursday the state will assist any local school system which finds itself in financial straits as a result of the implementation of the private tuition grant program.

But questions remained as to if and when any grants would be issued.

But the superintendents of school systems most immediately affected by the tuition-grant law indicated they were adopting a go-slow policy.

Supt. John Letson of Atlanta, the state's only desegregated school system, said the city's board of education undoubtedly would review the situation in the light of Atty. Gen. Eugene Cook's ruling that local boards have no right of discretion in denying applications for grants.

Cook indicated that the grant plan is open to all qualified pupils whether or not they already attend private schools.

Lack of money, either at the local or state level might be grounds for refusing to issue a grant, Cook said, but Vandiver has set aside $1 million to be used to help finance the program and his statement indicated he plans to use it.

The governor indicated last month that he wanted the money used only in desegregated school districts, but Cook's ruling on the language of the law may cause it to be spent in all parts of the state.

The law, while intended to provide a means for educating students who found it intolerable to attend integrated schools, was deliberately broad in its phrasing avoiding all mention of racia factors.

Attempts by other states to head off integration by laws specifically referring to race have been struck down as devices to circumvent federal court decisions.

Under the terms of the law, the size of the grants would vary from district to district. Each pupil would be entitled to his share of the total operating costs of the district.

This ranges to almost $400 in some cities, but dips below $200 in many areas.

GEORGIA DEFENDS PUPIL'S TRANSFER

ATLANTA, Sept. 15 (AP)—Attorneys for the State of Georgia invoked the doctrine of white supremacy Friday in defending the right of a white girl to change schools to avoid integration.

"There has never been a stable free society which has been either Negro or mulatto and the only explanation, therefore, is genetics, not environment," they told a Federal judge.

"Integrated education imposed and maintained by official act has a detrimental and deleterious effect on the education, morals and mental development of the whites who are forced to associate with Negroes," they said.

The Federal District Court has been asked to rule in the case of Sandra Melkild, 17 years old, of Atlanta. She sought to transfer from Northside High School after having learned that two Negroes were to enter the school as part of the city's token desegregation.

Her request was turned down by the Atlanta Board of Education, but the state board overruled the city. The city appealed to the court.

Judge Frank A. Hooper issued a temporary injunction against the state board's action and scheduled a hearing for further arguments.

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GEORGIA

AUGUST

ATLANTA

Atlanta Preparing Carefully To Ease Shock Of Mixing

ATLANTA (UPI) — Atlanta's first public school desegregation, scheduled for next week, poses a series of diversified problems involving four schools in such widely different areas that they might as well be in separate towns.

Atlanta officials are hopeful that no violence will accompany the transfer of 10 Negro students from all-Negro schools to the four previously all-white schools — but they are taking no chances.

Intensive preparation followed the desegregation order handed down by Federal Judge Frank Hooper and his approval of next week's first step as legal acceptance of his order.

Trouble, if it comes at all, is expected from outsiders, not the students. Officials refuse to say which of the four schools might be a potential storm center but it appears the two high schools lying in the southern, and poorer sections are more likely to attract undesirable outsiders than those in the northern half of the city.

MOST LIKELY TARGET

Brown High School, a 30-year-old structure in southwest Atlanta located only a short distance from a low-rent housing project and near a former hotbed of the Ku Klux Klan, appears to be the most susceptible to outside influence.

In sharp contrast, Northside High School, a modern building in one of Atlanta's most exclusive neighborhoods, appears less likely to face trouble than any of the schools which have integrated in the South in the seven years since the U.S. Supreme Court struck down the "separate but equal" doctrine of public education.

Murphy High School, located in Atlanta's southeast, is in a middle-class neighborhood but only a few blocks from the fringes of one of the city's toughest areas. Grady High School, oldest and physically largest of the four soon-to-integrate schools, is in a section of the city where once fine homes have been converted to apartments. It is only a few blocks from the start of Atlanta's main business section.

OFFICIALS AT WORK

Three officials have been hard at work to prevent the possibility of trouble. They are Mayor William B. Hartsfield, a racial moderate who is retiring this year after 24 years at Atlanta's helm; City School Supt. John Letson, a quiet-spoken but firm educator who came here from Chattanooga just a year ago; and Police Chief Herbert Jenkins, a tough, dedicated law enforcement officer.

Jenkins has assigned specially trained squads to protect each of the four high schools. Patrol wagons will be standing by to cart off anyone who tries to interfere with the peaceful operation of the schools. Additional police and an armored car loaded with tear gas bombs and shotguns will be standing by in a central location.

But Jenkins emphasizes these are emergency measures which he does not foresee needing.

"I am very optimistic that things will go off very smoothly," he said. "But, I have found that the best way to avoid trouble is to figure on the worst—and plan accordingly."

APPEAL TO CITIZENS

While Jenkins has been preparing to stop trouble if it should occur, Hartsfield and Letson have been working just as hard to convince the citizens and students that trouble should never begin. They have addressed numerous civic groups and public meetings, stressing the importance that Atlanta show the world an unruffled face on integration day. All Atlanta high school students attended a series of seminars last spring at which the subject was thrashed out from all possible angles.

A counselor at Brown said the students there were "very receptive." She said the idea of competing against the other three schools in calmness of acceptance was instilled. "Our students were told: 'Khrushchev will be watching you'," she said.

There have been reports of scattered agitators passing out hate literature and making efforts to stir up trouble. These are the same tactics, and some of the same people, that set off violence at Little Rock and New Orleans. Atlanta police are watching closely.

Predict Peace When Atlanta Schools 'Mix'

By TREZZVANT W. ANDERSON

ATLANTA—On Wednesday, Aug. 30, 10 Negro high school pupils will "integrate" four Atlanta high schools that were previously all white. There will be no trouble when this happens, unless unforseen circumstances come about.

This can be said safely because elaborate preparations have been prepared by Atlanta's Mayor William B. Hartsfield and Police Chief Herbert Jenkins to prevent trouble. Streets in the immediate area of four schools will be cordoned off and barred to the public. This will assure quiet entry of the students into the schools.

■

NEWSMEN WILL be allowed to watch from across the street from each school, but primarily will be centered in a "command post" in City Hall where school principals will periodically report by phone to School Superintendent Dr. John Letson.

The Rev. Samuel W. Williams, president of the Atlanta NAACP, interviewed by The Courier on the possibility of violence when the schools were integrated, said he did not feel these would be any violence.

He attributed his beliefs to the change in atmosphere in Atlanta and the firm intention of authorities to enforce law and order.

■

THIS REPORTER—a veteran Clinton, Tenn., Little Rock, Nashville, Charlotte, Greensboro and Winston-Salem school integration day in Washington, D. C., sees no possibility of violence to the children who will integrate four Atlanta high schools, if there is no breakdown in law enforcement.

Atlanta has prepared for this big day.

How will the Negro kids take it? In stride, as they have done everywhere else.

Atlanta Girding For Integration

Deep South City Grits Teeth, Determined To Have No Violence

By United Press International

ATLANTA, Aug. 24.—Atlanta's determined effort to integrate its public school system without the violence that plagued Little Rock and New Orleans will be tested next week with the admission of 10 Negro students to four previously all-white high schools.

This lowering of racial barriers by the largest city in the strongly pro-segregation deep South is not a voluntary move. The step is being taken to comply with an order from Federal District Judge Frank Hooper.

But, once committed to segregation, Atlanta officials are going all out to assure that integration is done in an orderly manner so that, as veteran Mayor William B. Hartsfield puts it, "the image of Atlanta will continue to be that of a great city."

Determined Mayor

Mayor Hartsfield is determined that desegregation here goes without a hitch Aug. 30. The 72-year-old politician has been known as a racial moderate during his 24 years as mayor and the mixing of classes in Atlanta's schools will be his biggest step in this direction as he plans to retire from office in January.

He is joined in this determination by city school supt. John Letson, who repeatedly emphasizes that his first responsibility is to see that the schools keep operating in "as normal a manner as possible."

The man responsible for seeing that no outsiders disrupt this operation is Police Chief Herbert Jenkins, who has left no doubt that he is in firm unity with Mayor Hartsfield and Mr. Letson.

Chief Jenkins is a gray-haired scholarly-looking man but a tough and competent police officer. He has been preparing for next Wednesday's desegregation for several years. He has specially-trained squads of policemen to patrol the four soon-to-be-integrated schools—policemen who were sent to New Orleans and other troubled spots to learn first hand what measures might be needed to avoid similar pitfalls.

Outside Source

Hartsfield and Letson are convinced that if there is to be trouble, it will come from outsiders. They have complete faith in the white students at the four affected schools and their parents.

"I am optimistic there will be no trouble next week," Jenkins said. "But I have found that the best way to avoid trouble is to figure on the worst and plan accordingly." His plans include an armored car on standby alert loaded with tear gas bombs and shotguns and a patrol wagon stationed at each of the four schools to haul away anyone who tries to interfere with the peaceful operation of the school.

Indications that there may be outside interference have already cropped up on two fronts. Known agitators have been detected here passing out hate literature, and Ku Klux Klansmen from surrounding communities have been spreading the word about an anti-integration rally they hope to hold on the steps of the state capitol Friday night.

Atlanta police know the agitators are in action. But Chief Jenkins explained, "We can't touch them until they break the law. When they do, we'll crack down."

Lawful, Creditable School Desegregation Expected

Birmingham World D 1 Wed 8-29-61

Birmingham Post

Grand Jury Unit Expresses Full Confidence In City

ATLANTA, Ga.—(SNS)—The Fulton County Grand Jurors Association released a statement Friday expressing confidence that Atlanta will react favorably in desegregation of its schools and meet the challenge in an atmosphere of law, order and dignity.

The statement received the approval of the Executive Committee of the Grand Jurors Association of Fulton County and urged all citizens with children in school to remind their children that their individual conduct during this period "can reflect credit or discredit on the city they love." The full statement follows:

"During the week of August 27 the eyes of the world will be on Atlanta to see how this great city reacts in the matter of desegregation of its schools.

"The Fulton County Grand Jurors Association, being intimately familiar with the people of Atlanta, is confident that Atlanta will meet this newest in a series of challenges in an atmosphere of law, order and dignity.

"We urge all citizens with children in school to remind their children that their individual conduct during this perod can reflect credit — or discredit — on the city they love. We are confident that their choice will be to reflect credit."

Transfer Applications Available Here Monday

In a special meeting Monday of the Atlanta School Board, regulations were set forth for Negro students who will begin applying for school reassignments Monday to previously all-white schools.

Rev. Samuel Williams, president of the Atlanta branch of the National Association for the Advancement of Colored People, criticized the application blank questions as, "simply stumbling blocks put in the way" of would-be transferees.

The application for assignment or transfer of pupils lists the name of the school which the pupil seeks to transfer, the date application is made, name of child, sex, race.

Other questions on the form request home address, mother's name, father's name, or name of legal guardian, seeks information as to whether pupil lives with mother or father or others, and asks status and employer of both, as well as solicits information as to previous schools attended.

Rev. Williams objected particularly to the provision on the application blanks for listing the name and address of employers of the parents of applicants.

"There is no need in the world for this except for possibility of using it for intimidation," he said. He said further that request for such information could deter some parents from seeking transfers for children who might be qualified for reassignment.

Dr. Williams stated that a meeting will be held at Friendship Baptist Church, 437 Mitchell St., S.W., at 8 p. m., Sunday, to give information about transfer application procedure.

He said NAACP leaders will "make themselves available' 'to help parents or students who seek information.

Under Atlanta Board of Education regulations, application forms will be available at City Hall in the office of John Letson, school superintendent at 8:30 a. m' Monday.

Boycotters Known, Chatham Jury Says

Constitution State News Service

SAVANNAH—A special Chatham County grand jury Monday announced it has "successfully discovered those persons" who instigated a 2,000-student boycott of Savannah Negro schools last month.

Solicitor General Andrew J. Ryan said the names may be announced about May 16 when the full grand jury reconvenes.

"I do not think at this time that any criminal action will come out of the investigation," Ryan said. "But I feel that we successfully discovered those persons who were responsible for the boycott."

Meanwhile, Sylvan A. Garfunkel, assistant solicitor general, said 21 Negro students who were arrested during the boycott will be tried in City Court May 9.

The boycott which lasted 10 days was staged to protest the firing of Alflorence Cheatham, principal of Sol Johnson High School. The National Association for the Advancement of Colored People charged that Cheatham was dismissed because of his activities to promote integration.

Suit To Halt School Funds Voided By Court

ATLANTA, Ga. (AP) — The Georgia Supreme Court Tuesday threw out a temporary injunction which sought to cut off state funds to Atlanta's four desegregated high schools.

The high court's decision said that 12 south Georgians, who were seeking the injunction, had not brought valid legal action. The south Georgia suit, the court ruled, was an attempt to control state education money and therefore could not be instituted without the express consent of the legislature.

No such consent has been given.

The decision, written by Supreme Court Justice Bond Almand, relied heavily on past rulings of the court which held that no individual citizen may bring suits seeking to control the state's money.

The temporary injunction, granted on Sept. 15 by Judge Cecil Roddenberry of Nahunta, but never put into effect, was based on a section of the state constitution which linked taxation with conditions of segregation.

Attorneys Walter Cowart of Savannah and Robert Cork of Valdosta brought the suit on behalf of 12 persons who identified themselves as tax payers.

Georgia NAACP Blasts 'Token' Integration

By TREZZVANT W. ANDERSON

COLUMBUS, Ga.—Openly critical of what it termed "token" integration in Atlanta and Savannah, the Georgia NAACP conference blasted the poce of desegregation in its two largest cities and urged a speed-up. The criticism came in resolutions adopted at the recent state convention.

"Some little progress can be noted in the desegregation of public facilities in Atlanta and Savannah," the resolutions said. "Eating facilities in some stores, and some recreational and educational facilities are now open.

"DESEGREGATION in public education has been effected in the University of Georgia at Athens, Georgia Tech in Atlanta and four Atlanta high schools," the statement went on.

"None of these moves, although token, were without pressure. Our responsibility is clear. NAACP units, youth and adult are called upon to intensify their efforts toward opening all public facilities to all people throughout the State of Georgia.

"Segregation signs must come down and racially discriminatory practices must be ended in all stores where money spent by Negroes is freely accepted, and in all institutions and facilities which are supported by public funds coming from taxpayers, Negro as well as non-Negro," the resolution said.

The convention was highly critical of Postmaster General J. Edward Day, in the case of State President Westley W. Law of Savannah.

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GEORGIA

Georgia Teacher Walkout Seen If Raise Not Given

Atlanta Daily World
Atlanta, Ga.
Sat. 2-18-61

A mass teacher strike may occur at the end of the school term if the General Assembly fails to provide teachers with a substantial pay raise, education officials warned Friday.

E. D. Mitcham, Georgia Education Associaiton president, said that if the legislative appropria - tions committees fail to recommend an adequate boost in teacher salaries, rank and file members will hold a strategy session in Macon next Monday to decide what they will do.

The walkout might range as high as 50 per cent of the state's 31,000 teachers, GEA Executive Director Frank Hughes said. He noted that resignations already are pouring in at a record rate.

"Anything less tan $$$300.00 will make the revolt of March, 1960 look like child's play," Hughes said.

"The only thing I think the teachers can live with is $400. They want $500."

GRAVE SITUATION

Both Hughes and Mitcham said education in the state is now facing "a grave situation."

House Speaker George Smith said he hoped the GEA was not making any threats.

"I have found in my public and private career that you don't get anywhere by threats — they hurt the cause instead of helping.

"I believe Georgia teachers are too dedicated to strike."

Smith appeared visibly angered by the apparent strike threat. He closeted himself with the GEA officials for more than 30 minutes to discuss the GEA statement.

Mitcham said he had received about 1,000 telegrams calling for a mass meeting in Macon ahead of the regular annual GEA session scheduled in Atlanta for March 23-25. He made it plain he was not referring to any splinter group action such as a movement a year ago for an immediate walkout if teachers did not get a $1,000 raise.

Gov. Ernest Vandiver afterward promised teachers a $200 raise and at the GEA meeting the teachers voted not to thank the governor for the increase.

"We dont have any splinter group right now," Mitcham said. "At the present time we are as solid as we have ever been in this state.

MADE REQUEST

"We made a request of the Legislature and the governor of what we thought is a minimum amount needed to stabilize the situation in Georgia. We haven't seen any reason to change that position."

The two education officials said mass resignations were a probability if the ultimate appropriations act is not satisfactory. They said walkouts before the end of the current school term were a definite possibility.

Hughes said that 2,821 teachers had resigned as of Feb. 1 since last September, compared to 1,700 dropouts for the same period of the previous school year.

Total resignations the previous school year ultimately reached 4,200 Hughes said, adding the current dropout rate would raise the total to 6,000 by next Sept. 1 even if it is not accelerated.

GEA membership includes 25,000 teachers.

Women Voters Oppose Repeal Of Compulsory Schooling

The Atlanta Constitution
Atlanta, Ga.
Tues. 2-28-61

By BRUCE GALPHIN

The Georgia League of Women Voters announced opposition to repeal of compulsory school attendance Monday, and the state PTA president requested a public hearing on the question.

Companion bills which would limit forced attendance to segregated school districts and might abolish requirements statewide were passed by the Senate last week and assigned to the House Education Committee Monday.

Rep. Battle Hall of Floyd, chairman of the committee, said he would announce Tuesday whether his committee would schedule public hearings on the bills. The request was made by Mrs. J. R. Pinson, state PTA president.

BLOCKED BY PANEL

A House-authored bill to repeal compulsory attendance already has been approved by the Education Committee but has been blocked from the calendar by the Rules Committee.

Meanwhile Monday Rep. David Newton of Colquitt and other representatives offered a resolution calling on the attorney general to supply all local school boards with a complete study of pupil placement plans.

The resolution states that recent federal court decisions indicate the need of boards of education for "full and complete knowledge" of attendance plans ruled permissible by the courts.

IMPROVEMENT CITED

Newton said that if boards wait until faced with desegregation suits before drawing attendance regulations, they might be restrained by the courts from putting such plans into effect then.

The League of Women Voters voiced its opposition both to the Senate compulsory attendance package and to the measure being held up in the House Rules Committee.

"Attendance rates have been greatly improved over recent years by the compulsory attendance law and the visiting teacher program," the League said in a message to Hall and Speaker George Smith signed by state president, Mrs. Edward Vinson.

"Without enforcement of the compulsory attendance law, increased child delinquency might result. Society must prepare to pay the cost in terms of increased ignorance, poverty and crime if this law is repealed," the statement said.

Assistant State School Supt. C. S. Hubbard explained Monday that one of the Senate bills provides for dropping compulsory attendance in districts where there is any desegregation. If that bill were declared unconstitutional, however, he continued, the other bill, which repeals forced attendance outright, would go into effect.

Mayor Hartsfield Says

Atlanta Won't Tolerate Any Interference With School Desegregation

NEW YORK -- The Mayor of Atlanta today issued a stern warning that his city will not tolerate interference with peaceful school and lunch-counter desegregation next fall.

In a stinging attack on Southern "rabble rousers" who "Robert E. Lee wouldn't even spit on," 71-year-old Mayor William B. Hartsfield declared that racists causing trouble in Atlanta "are going to get their heads knocked together."

"What happened in Little Rock won't happen here. We're going to ride herd on these damned rabble rousers," Hartsfield said in an article in the current issue of LOOK.

The Mayor pointed out that Atlanta Police Chief Herbert T. Jenkins "knows more about the race problem than any chief in the nation" and has disciplined his 700-man force to uphold the law "regardless of race or personal feelings."

He said that Atlanta police officials have visited Little Rock and New Orleans to study "what they did wrong" and are holding seminars on riot control.

In its article, "The Second Battle of Atlanta," the magazine predicted that peaceful school and lunch-counter desegregation in Atlanta would deal a crippling blow to the forces of segregation in the South.

Students Examine Integration Issue

By BRUCE GALPHIN

White Atlanta student leaders asked questions Tuesday on subjects ranging from curtailed social activities to segregation by sex as Supt. John Letson held his first briefing session on next fall's school desegregation.

The superintendent, addressing the Atlanta Association of Student Councils, told the teen-agers that there would be no advance decisions on such matters.

They would have to be worked out according to the facts in each case, he said.

Letson said he does believe in discussions of the desegregation problem among the students, however, and he expressed faith that "given the facts, (students) will come through in a way that will make their parents, their teachers and their community proud of them."

He told the group, representing the student government leadership of all white Atlanta schools, that their own behavior would have "tremendous influence" on other students.

Whatever a majority of the students set as a standard of conduct receives almost "100 per cent acceptance," Letson told them. Potential troublemakers can thus be kept in line, he added.

Letson reviewed the course of desegregation cases in the South and told the students that desegregation here is almost certain to come next fall, though it will not be known where until transfer requests are made next month.

Whether students' conduct is good or bad will not change the eventual outcome, he added.

Here are some of the questions which interested the student leaders:

Q.: What about outside troublemakers?

WHAT PUNISHMENT?

A.: The city administration and police are charged with that responsibility. Students should concern themselves with their own behavior.

Q.: What sort of punishment will be dealt out to student troublemakers, and will punishment come through Student Councils?

A: No advance punishment is being announced. Law violations will be dealt with in a regular manner.

Q: Will sports and social activities be abolished in desegregated schools?

SEGREGATION BY SEX?

A: That will have to be decided in light of the facts.

Q: Will there be segregation by sex?

A: No decision has been made. (Letson himself believes "it would not go very far in solving the problems."

Q: Should student newspapers and student councils speak out on hate literature which is being distributed widely in the city?

A: The whole matter of desegregation should be given a full airing. (Letson noted that this very briefing session had been referred to by one publication as "Letson's Brainwashing.")

3-POINT CODE

A girl from Northside High reported that the Student Council there is backing a three-point code:

1. Obey the law.
2. As mature high school students, avoid becoming a part of a mob.
3. Don't hold the school, city, state and country up to ridicule through improper behavior.

Pete Stanford of Dykes High, elected as president of the association Tuesday, reported that there had already been a discussion of desegregation there and that "we accept the facts."

Georgia School Paradox:

Some Empty, Some Jammed

What Solution Is Available?

Educators Really Don't Know

By SAM HOPKINS

Of all the headaches that concern Georgia Educators, the problem of matching children and classrooms is about the worst.

Most of the state's 198 school systems fall into two categories:

1. Some counties have an ever-increasing number of students and not enough classrooms.

2. Other counties have too many classrooms and a decreasing number of students.

IN THE FIRST group classrooms are bulging. School officials, year after year, struggle to provide additional space for their student bodies.

But the problems of this group don't compare in complexity and seriousness with those in the counties where the total number of students is constantly shrinking.

Some of the suggestions that have been put forth to help the plight of these schools include:

1. Consolidation.

2. Federal aid.

3. Tax revaluation.

4 New industry.

Whatever is done will need long-range planning. Everyone admits the schools' ills won't be solved overnight.

Probably the most significant thing that came out of the 1960 census was the fact that 92 of the state's 159 counties had decreased in population since 1950. Only 67 gained.

* * *

SOME COUNTIES suffered staggering losses in population. The 10 counties which lost most, and the percentage of loss, were:

Taliaferro, 25.4 per cent; Glascock, 25.3; Echols, 24.8; Early, 24.5; Baker, 23.7; Heard, 23.5; Miller, 23.4; Irwin, 23.1; Wilcox, 22.2; Clay, 22.1.

Dr. Allen Smith, assistant state school superintendent, said 39 school systems had drops in their average daily attendance records during the past year.

The number of school buildings in use in the state declined from 5,979 to 4,149 between the 1951-52 school year and 1959-60.

"The number will continue to drop," Dr. Smith predicted.

Most of the vacated schools are in the smaller counties, where consolidation was a necessity as the number of students steadily decreased.

* * *

SOME COUNTIES have completely consolidated their schools, Dr. Smith noted that the Negro schools in the state have already consolidated about as far as they can go.

Taliaferro, which lost the biggest percentage of population, is one of the counties which has had 100-per-cent consolidation.

George Nelms, school superintendent in Taliaferro, said, there are only two schools now in the entire county — one for 215 white students and one for 568 Negroes.

Each school has classes from the first through the 12th grades.

Nelms admits that "we're quite concerned over the population decrease." He thinks "industry is the only thing that will help."

In the meantime, he said, "Our young people from high school are all going to the urban areas. They buy their homes there, pay taxes and raise children, and we reap none of the benefits."

NELMS SAID a recent study showed that in the last 10 years Taliaferro's 20-to-40 age group had dropped 44 per cent.

One South Georgia school superintendent, whose student population has dwindled by 25 per cent in the past 10 years, said:

"It's a shrinking population in the rural counties," he said, "and we're all about in the same boat."

He's right in many cases. But some — like Jones County — don't fit the pattern.

Jones is rural, but the school population isn't dropping.

"It's just the opposite," says W. E. Knox of Gray, county school superintendent. "We can't get enough classrooms.

"The high school is running out of the sides. We're holding classes in the gym, basement and even the auditorium."

* * *

THE NUMBER of high school students has increased 25 per cent in the last three years.

All this sounds strange, but Knox explains it:

"Although we're strictly rural, we're catching the overflow out of Macon" in adjoining Bibb County.

Many people live in Jones and work at Robins Air Force Base in Houston County, or at the Navy plants in Macon and Byron.

Many children of government workers go to school in Jones, thus the county benefits from the federal impacted area funds. Jones' situation — catching the overflow — is repeated in numerous counties which border on the larger metropolitan areas.

It's their salvation.

Newton (population 20,999 in 1960) is typical of many of the medium-size counties which are growing steadily. (According to the 1960 census, there were 65 counties with less than 10,000 population, and 119 with less than 20,000.)

J. W. Richardson of Covington, superintendent of Newton schools, says the population is up and "we're adding two or three teachers a year."

* * *

RICHARDSON attributes the county's closeness to Atlanta (three counties removed) as a major factor in Newton's growth. The county has a number of industries.

One school official pointed out that although his county has some industries, they are small and not full-fledged industries as far as salaries are concerned.

This type of industry, he said, offers something of "a supplementary pay," mostly to wives of farmers and other working men.

However, he was quick to point out that these small industries are a "great benefit" to the community.

Another school superintendent, apparently not hopeful of his county ever attracting any new industry, said:

"The best and only thing we have to offer is the front seat in church."

There is no doubt that many of Georgia's counties face worse school conditions in the future if the population trend continues.

These counties pointing up their unfortunate situations have an immense problem and everyone knows it.

What can be done?

"I don't know," admits Irwin County School Supt. K. N. Phillips of Ocilla.

Phillips has reason to be despondent.

The school enrollment in Irwin decreased from 3,529 to 2,223 in the last decade.

"Even back in 1917 we had several hundred more students than we have now," Phillips said.

* * *

ONE OF IRWIN'S schools was shut down two years ago, another will be closed next year, and a third likely will be vacated within two or three years, he said.

All these schools will be consolidated with schools in Ocilla.

While Phillips may not know the answer to his county's school problems, he does know the reason.

"We're a casualty of progress," he declared.

"The farmers are more productive and the machinery is more efficient," he said, "and there is a need for less labor."

He added, "It's a definite pattern in many of the rural counties."

Also, several school superintendents pointed out that people are literally chased out of the rural counties because of the soil bank and pulpwood manufacturers buying up large tracts of land.

* * *

WHERE CAN these declining counties look for answers to their school problems?

New industry, of course, is always hoped for.

"We never give up hope," said Taliaferro's Supt. Nelms. "We have a responsibility to our children."

However, he added that, "I do not know how much longer we can hold on. It's becoming more and more difficult."

Then there's tax revaluation. That would give communities some much-needed extra local funds for schools, but it still wouldn't stop the population migration away from the rural areas.

A general federal aid program also would be welcomed by school officials—providing it is with "no strings attached."

But as much as this would help, the move to the urban areas would continue.

That leaves consolidation as a means to provide better quality schools in the smaller areas.

This subject has had extreme opposition in the past. And though many schools have consolidated, there still are many other communities that are ready to fight at the suggestion they might lose their school.

* * *

A CLASSIC EXAMPLE of this is in Wilcox County—which lost 22.2 per cent of its population in the last 10 years.

There are four white high schools in Wilcox—at Pitts, with 80 students; Pineview, 60; Abbeville, 106, and Rochelle, 140.

School Supt. J. L. Faircloth said he wanted to consolidate Pitts and Pineview with the Rochelle school, and thus cut the number down to two schools.

A bitter controversy arose over the proposal. And there are still four white high schools in Wilcox County.

Why?

"We just didn't do enough groundwork in selling the idea to the people," Faircloth said.

The people definitely can be sold on consolidation, said Irwin County's Supt. Phillips.

"Our people asked for consolidation," he said. "They were reluctant at first. It took them two or three years to realize they must place the welfare of the children above selfish interests."

* * *

PHILLIPS and other school officials feel there is a strong trend toward less reluctance to consolidated schools.

They point out that it's natural for communities to take great pride in their schools and want to keep them as long as possible.

Many of the small schools are centers of community life. Their local basketball teams help to bring the community closer together.

School consolidation was virtually impossible 10 years ago, said Dr. Smith, the assistant state school superintendent.

He agrees, "There is more and more acceptance of the idea now."

But will consolidation within the counties solve the problems of the rural counties?

Dr. Smith and many of the school superintendents don't think so.

They believe that the day must come when counties must cross lines and consolidate schools with each other.

"If the population trend continues," Dr. Smith said, "we're going to have to cross county lines to provide better educational opportunities for the children."

He and other officials envision the day when not only two counties will go in together to establish a better school than either could provide alone, but when three and four counties will merge their educational systems.

It's a strange idea for many Georgians.

And only the future will tell what they will do about the education of their children and grandchildren.

Tuition Applicants Rise in Urban Areas

Metropolitan Atlanta Gets Brunt of Grant Requests

By DICK HEBERT

Requests for tuition grants-in-aid are on the increase in urban areas across the state, according to a spot survey of school systems Tuesday.

School systems within the metropolitan Atlanta area seemed to be getting the brunt of the request load, with a quieter but still steady flow also being recorded in other areas.

No figures have been compiled on requests by the State Department of Education yet, according to Dr. Allen Smith of the department. He said the only reports received as yet are "occasional calls."

TO MAKE SURVEY

"We will send out a letter requesting a report from the systems so we can see how they are going," he said. Over-all, we are not hearing so much about it now as we were for a while."

Paul D. West, Fulton County school superintendent, said 100 requests for application forms had come in so far. He said they involved approximately 130 students.

"We've had 63 since the governor's announcement that the tuition grant plan would be implemented," he said.

ALREADY THERE

"In spite of the governor's statement that he wanted to avoid boondoggling among students already enrolled in private schools, I'd say the great majority of these represent youngsters who are already in private schools," he said.

(It was reported earlier in the week that the Atlanta system had received 177 requests involving grants to 235 students so far.)

DeKalb County reported 71 requests, coming in with an "increased amount of interest" since the governor's announcement in mid-October.

Clayton County said about 25 or 30 requests had come in since the announcement.

MUST USE FORM

"In all we've had about 50 or 60 before and after the announcement," said Supt. J. E. Edmonds. "When they call I tell them that we've drawn up a form they must fill out and give us their reasons why they feel their children should be entitled to the grants. I tell them this form doesn't necessarily commit us to anything."

He said the school board was looking into the legal and fiscal positions of the grants-in-aid and that the board has "consistently stated it will not act until they can establish these."

Bibb County Supt. Julius Gholson said that in recent days "numerous" requests had come in from students enrolled in a private school there.

"We haven't compiled figures as yet, however," he said. "We'll probably do that at the end of the week."

NOT PUSHING

He said the Bibb County board was taking no official action on the requests and that "the matter is being discussed with the board attorney."

Bibb County is awaiting word from the State Department of Education concerning application forms, he said. "Our people are not pushing us on this thing. Most of them are cooperative about it."

Between 15 and 20 applications had been received in Savannah, according to Chatham County School Board President Edward J. Bartlett.

CUT-OFF DATE

He said an attorney was looking into the matter and that he felt application forms could be made locally "within the framework of the general law."

In Columbus 26 grant requests were received, all before Aug. 5. The Muscogee County System conformed with last springs' announcement from the capitol by opening up for requests with a cut-off date of Aug. 5.

Supt. W. H. Shaw said the State Department of Education had notified him that that was sufficient and the system did not have to open up again for tuition grant requests.

235 File For Private Schools, Letson Reveals

One Hundred-Seventy-Seven requests for tuition grants for 235 students to attend segregated private schools under Georgia law have been filed, according to Atlanta school Superintendent Dr. John W. Letson.

Dr. Letson released these figures at the regular weekly meeting of the Atlanta Board of Education, and said these request would be received and processed until Jan. 1, with no final answer to further procedure forthcoming until a court decision.

Letson stated that 53 request for 72 students did not designate a particular private school, but Georgia Military Academy did have 35 request for 42 students. Other schools requested were:: Westminister and Arlington.

Sen. Mitchell Asks Tuition Law Change

The Atlanta Constitution
Atlanta, Ga.
Thurs. 2-9-61

By RICHARD ASHWORTH

State Sen. Erwin Mitchell of Dalton proposed an amendment Wednesday to correct "deficiencies" in Georgia's newly enacted tuition grant law.

Even as Mitchell was preparing plans to introduce his amendment in the Georgia Senate when the Legislature reconvenes Feb. 20, the DeKalb County school system was becoming the third Metropolitan Atlanta system to receive tuition-grant requests.

APPLICATION WITHDRAWN

Two DeKalb countians filed requests, but one of them withdrew his application Wednesday. The Atlanta city and Fulton County systems previously have received requests for grants.

Waldo Sowell of 1296 N. Decatur Rd., NE, withdrew his request pending "complete clarification" of the tuition-grant law.

The other request came from Dr. Robert L. Whipple Jr. of 3920 E. Brookhaven Dr., NE, who asked for tuition grants for his four children now attending the Westminster schools.

WOULD SET STANDARDS

Mitchell's amendment would set some standards for "non-public schools" by declaring they should meet "state minimum standards," would spell out who may apply for state grants and when grant applications should be approved.

Mitchell said the need for this was shown "in the debate on this particular grant bill's faults at the time it was being considered by the General Assembly and I think the events which have taken place in the last few days have graphically shown that our fears were not without justification."

One of the objections which has been raised to the law, Mitchell pointed out, is that "anybody can apply" for a grant and it would be an obligation on the state to pay it, whether there is any integration problem in a community or not.

Mitchell's amendment would provide that grants would be approved when "There is no public school available" either because of closing of schools under local option or because of objection of the child's parents to sending the child to an integrated school.

A second strong objection which Mitchell says his bill meets is where "Those who wanted to exploit the State Treasury could, without any regulations at all, open private schools without any trained teachers to run them."

His amendment declared that the State Board of Education shall regulate non-public schools and require them to meet minimum state standards for courses of study and provide that teachers in such schools must have the same qualifications and certificates as public school teachers.

CERTIFICATE REQUIRED

It declares that "no person shall be employed to teach in a non-public school who has not obtained a teacher's certificate entitling such teacher to teach corresponding courses or classes in public schools."

And the amendment also requires operators of non-public schools to report to the superintendent of the city or county system within two weeks of the opening of the school names, ages, residences and parents' names of children enrolled in the school.

The Senate Rules Committee killed a bill which would have let the State Board of Education supervise private schools because it felt state supervision would create a relationship which could cause the bill to be held unconstitutional.

'NOT FEARFUL'

But Sen. Mitchell declared he is "not fearful of state control." He said his amendment is based on a North Carolina law which has been in operation for several years.

Mitchell's amendments actually are a part of a bill which he introduced in the Senate prior to the time Gov. Vandiver's open-school bills, of which the tuition grant plan is a part, were introduced and passed.

Another part of his amendment would restrict the payment of tuition grants to "approved schools" and to children in attendance at "a private non-sectarian school found to be in compliance" with regulatory provisions in the amendment.

Mitchell also pointed out that while his bill sets standards for non-public schools, it specifically declares that "payment of education expenses grants for or on behalf of any child attending such a school shall not vest" any control or supervision of the schools in the state, the state school board or any other agency or political unit.

In attempting to meet the current situation where local school boards are already receiving applications for grants, Mitchell's bill declares that grants shall "be available only when it is not reasonable and praticable to reassign such child to a public school not attended by a child of another race" and for whom "no public school is available."

Vandiver Wins Strong Support

The Atlanta Constitution
Atlanta, Ga.

Gov. Ernest Vandiver's legislative leaders predicted early passage of his new packet of school bills, and legislators polled immediately after the speech agreed.

House Floor Leader Frank Twitty and Senate President Pro-tem Carl Sanders announced the four bills will be ready to hand to the House and Senate clerks Thursday.

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They probably will be read for the first time Monday, and Twitty said he anticipates they will clear both houses of the Legislature within a week. (Five days is the minimum time in which a bill can be passed.)

31 OF 38 FAVOR

Of the 38 legislators interviewed by The Constitution immediately after the speech, 31 said they favored the governor's plan, two said they would oppose it, and five others reserved judgment.

Lt. Gov. Garland Byrd said Vandiver's proposals "offer the best known solution" to the school crisis. Byrd's statement:

"These recommendations offer the best known solution to the dilemma in which we find ourselves. Their adoption will insure implementation of every known safeguard to the parents and children of Georgia."

House Speaker George L. Smith II of Emanuel County gave his immediate support.

CALLED REALISTIC

"I think," he said, "that the governor's speech was most realistic and most heartening. He faced the issue squarely as only a man of his integrity and his deep love for Georgia could."

Smith added, "I am convinced that he has charted the best possible course for Georgia—one that not only preserves public education but also preserves our treasured way of life."

Several signers of the minority report of the [illegible] committee said they were impressed with, and would back, the governor's program.

Rep. Joe Underwood of Montgomery County commented, "It was a well-worded, strong policy that we must follow. I regret that we even have to think about repeal of any law that was intended to preserve segregation, but as the governor said, we have found they are being worked against us. We probably must give ground, form new lines and new defenses."

Atlanta, Ga.

Render Hill, Meriwether County representative who signed the minority report and submitted a special report of his own, said:

"I'm 100 per cent with him (Vandiver). He embraced some of both the majority and the minority of the Sibley Report."

WAS LET DOWN

Opposition—or at least reservations—came from Rep. Marvin Moate of Hancock County, who served as speaker of the House in the Marvin Griffin administration, and Rep. James Floyd of Chattooga.

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Moate said, "I'm sorry, I don't want to tell you what I think. I was hoping for something but I've been let down. He has my sympathy . . . it was pitiful!"

Floyd said, "I thought the governor talked in circles. I still don't know what he was talking about."

For the most part, however, the legislators were enthusiastic about the governor's address.

OFF THE LOW ROAD

Said Rep. James MacKay of DeKalb: "The governor took us off the low road to Louisiana and put us on the high road to North Carolina. His flat commitment to support public education and maintain law and order will reassure people throughout the state. If promptly enacted, his program would stabilize this situation, relieve us from the uncertainty and insecurity which has damaged our state."

Rep. Chappelle Matthews, whose home town, Athens, has had its share of desegregation troubles in recent weeks, declared:

"This is a very sensible, realistic, statesmanlike approach on the governor's part. I think it assures the children of Georgia—from the first grade through college—of an adequate education."

Senators agreed. Howard Overby, veteran senator from Gainesville, called the speech "courageous and intelligent" and said the governor "has given the General Assembly a formula to meet the crisis in our public schools."

Sen. Erwin Mitchell of Dalton enthused, "All I can say is 'Halleluiah!' "

Mitchell went on to say that "reason and intellect have prevailed." Admitting "I have not been one who has commended Gov. Vandiver in the past on his actions," Mitchell said, "After his address tonight I feel that I, along with every other Georgian and American will be indebted to him for his courageous, farsighted and aggressive leadership. He spoke the truth tonight when it was urgently needed."

3 SETS OF SCHOOLS?

Sen. Spence Grayson of Savannah, an advocate of three sets of schools, read that plan into the governor's speech:

"So far as I see it's a plan most acceptable from a legal standpoint and to the people generally. It provides that we'll have Negro schools, white schools and integrated schools, whereby children can go to the schools of their choice without coercion of either race."

House Floor Leader Twitty said, "I think Gov. Vandiver tonight demonstrated the qualities of leadership we all knew he possessed. I am gratified he is not waiting for the federal courts to take charge of our schools but has presented a bold and forthright plan to preserve public education in Georgia.

HAILED BY SMITH

Rep. M. M. Smith of Fulton

was "tremendously pleased" with the governor's position and said the plan "would wipe out these unconstitutional laws and give us a constitutional amendment and bills that would lead to local option, pupil placement and freedom of choice."

"I think the governor presented a new approach," said Rep. Battle Hall of Floyd County, chairman of the House Education Committee.

Hall added, "No one has a guaranteed solution to the problem that faces education. But I think the governor presented a new approach which represents the best thinking and the best legal advice available."

Hall called on the public "to accept the program so we will have the least possible interference and interruption in educational processes."

Rep. Robert Scoggin, House Speaker pro-tem, said, "I think the governor sounded an affirmative proposal for a change." He added, "I hope we will pass them and keep segregated, open schools in Georgia."

Georgia Acts To Ensure Schools

The Christian Science Monitor

By Joseph Baird

Special Correspondent of The Christian Science Monitor

Atlanta

Georgia has turned its back on "massive resistance" to the 1954 order of the United States Supreme Court regarding racial segregation in public schools and is ready to compromise for the best settlement now obtainable.

That, in layman's language, is the meaning of Gov. S. Ernest Vandiver's recent message to the General Assembly and administration bills introduced in both the Georgia House and Senate to implement it.

Georgia is the first of the Southern states to take action to preserve its schools in advance of their closing by federal court.

Boston, Mass. Fri. 1-20-61 p. 1

It may be said of Governor Vandiver and the General Assembly that after months of dissembling, they have finally faced the school integration issue squarely.

That was indicated by Representative James A. Mackay of DeKalb County, leader of the Assembly's liberal bloc, when he said:

"The State of Georgia has made the historical decision that it will not abandon public education."

Local Option Bill

Georgians are an impetuous people. Yet no objective observer expected to see the change in sentiment in the General Assembly that followed Governor Vandiver's address.

Veteran legislators who only a few weeks ago were saying that "no Negro shall ever enter a white school" are now prepared to support the following administration measures:

1. A bill by House Speaker George L. Smith II providing for "local option" in all Georgia school districts. Voters may decide whether they prefer to continue integrated schools or close them entirely. Elections on the subject may be called by the board of education. If schools are closed, the board by a simple majority may call another election on the subject of reopening them.

2. A constitutional amendment proposed by Mr. Smith and other House leaders providing that "freedom of association on all levels of education shall be preserved inviolate." This means that parents of pupils who do not want their children to attend integrated schools may receive a stipend from the state to help pay their tuition in private schools. This amendment cannot be voted on until November, 1962.

State Law Upset

The sudden change in attitude late Wednesday of Georgia's state executive and legislative leadership was caused by federal court rulings on two Negro Atlanta students, Charlayne Hunter and Hamilton A. Holmes, who sought admission to the University of Georgia at Athens and are now students there.

Judge William A. Bootle of the United States District Court in Macon ruled that a state law denying funds to any integrated schools was unconstitutional. He also ruled that the university could not suspend the two students following a riot on the grounds that their presence there constituted a danger to them and their fellow students.

Unlike the case of Autherine Lucy at the University of Alabama whose presence was made impossible by riotous actions, Governor Vandiver has assigned state troopers on "ready" duty to protect the two Negro students in case Athens police are not able to do so.

Governor Vandiver's position has been an extremely difficult one, inasmuch as he committed himself during his 1958 campaign to preserve segregation in the schools. Yet when he was confronted with the fact that segregation was no longer possible and that the state of Georgia was in conflict with the federal government he had the courage to say to the General Assembly Wednesday evening:

"Having seen what can happen to the university system, we must move to protect the public schools and Georgia school children within the legal framework left to us.

"Developments in the university case raise the real peril that under certain circumstances state fund support for the department of education and for the 1,959 county and 139 independent school systems might not be constitutionally permissible and might have to be withheld by the state.

"In such circumstances there could be only one result. All the public schools in the state could be forced to close."

Road Bill a Trade?

Boiled down to the simplest terms, the bills which are virtually assured of passage within the next five days mean that each Georgia school district may decide whether or not it wishes to continue segregated schools. If it does, it is assured of state financial support. If it does not, the students within that district will receive state funds to aid them in getting an education in private schools.

Georgia's plan is very similar to that which has worked successfully in North Carolina.

To a reporter who has been in close contact with Georgia politics for almost a decade, the sudden change in policy by both Governor Vandiver and the General Assembly was almost miraculous.

It may be explained on realistic grounds only by saying that since a federal court ordered the integration of the Atlanta school system a year ago political leaders have realized that the "die-hard" segregationist policies of the state were no longer tenable, but it took the university crisis to give political leaders enough courage to say so.

A leader of the small liberal bloc in the Georgia House, questioned by this correspondent, said cynically:

"The Governor has given legislators a $100,000,000 road bill in exchange for their support of needed legislation."

There is a measure of truth in that, for when the House and Senate members return to their home counties this weekend they will be subjected to vilification from constituents who do not understand that Georgia cannot continue to defy the federal government.

New and improved roads may help to salve that hurt.

Negro, White Schools Not Equal, Says State Women Voters League

The Atlanta Constitution
Atlanta, Ga.
Thurs. 3-30-61
p. 8

Negro and white schools in Georgia are not operating under the separate but equal premise, the Georgia League of Women Voters said Wednesday.

Using a study of the State Education department's report for the two years ended June 30, 1958, the league said that the state spends more money per student for white schools than it does for Negro schools.

"While Georgia's schools are separate, they are not equal with respect to per capita expenditures in the major areas of instruction, plant operation and plant maintenance," the league said.

It attacked a state law to subsidize students who want to attend private schools to avoid integration.

"If Georgia has not been able, before 1958, through its far-sighted program of state spending under the Minimum Foundation Program to support equitably two kinds of schools, how can three kinds be supported?" the league asked.

Unanimous Support Sought For Vandiver School Plan

Solons' Opposition Seen Thawing; Governor's Appointees Critical

By CHARLES POU
Atlanta Journal Political Editor

Vandiver administration legislative leaders Saturday continued the push for unanimous support of the governor's new keep-the-schools package—and there were signs they may just about get it.

Legislative supporters of former Gov. Marvin Griffin reacted very coolly to the Vandiver proposal when he made them known to the public and the General Assembly Wednesday night.

* * *

BUT A definite warm-up was detected in their comments on the program Saturday and, in one instance, a complete thaw.

Rep. Marvin Moate of Sparta, speaker of the House during the Griffin administration, earlier characterized Gov. Vandiver's address and school package as "pitiful."

In a reappraisal Saturday, he commented:

"The governor has given us something we can work on. Until he did, we had nothing. I know of no efforts to organize opposition to his proposals. I expect they will have clear sailing."

Rep. John Sheffield of Quitman, another legislative leader of the Griffin administration, stuck to his original "no comment" and a policy of wait and see. He also said, though, he sees no organized effort to oppose the bills.

* * *

THE VANDIVER proposals — keyed to local control of school closings and openings, tuition grants for attending private schools and repeal of the state's school segregation laws—come up for legislative action next week.

Administration legislative leaders are describing the package as the only means of keeping public schools and as much segregation as possible.

To critics, they shoot this question: "Are you for closing the schools?"

"No matter how much they want segregation," said House Floor Leader Frank Twitty, "Georgians will not sacrifice public education."

* * *

COMMENTED House Speaker George Smith:

"I believe that the entire membership of the House will go along with Gov. Vandiver's proposals since they were made with the advice of the attorneys who have been fighting these cases for a number of years."

On some of the proposals, he said, "there will be a very few votes against," but he likewise could see no possibility of concerted opposition, political or otherwise.

* * *

THE UNEXPECTED move to grapple with the public school segregation problem at this session followed the entry of two Negro students to the University of Georgia under federal court order.

U.S. District Judge W. A. Bootle cut the state's existing legal defenses against mixed colleges into small, undigestible pieces and then, in effect, told the governor and General Assembly there was nothing they could do about it.

* * *

SO FAR, no politician of note has advocated shutting down the university as the remaining alternative.

All-out criticism of Gov. Vandiver's new policy on handling the public school situation has come from the ranks of his own officials.

* * *

JAMES H. GRAY of Albany, Vandiver-named chairman of the State Democratic Executive Committee, let fly at it in a front-page editorial in The Albany Herald. Editor and publisher of that paper, he said the governor's plan embraces the local option program of the Sibley school commission.

He apparently referred to the bill which would permit citizens to vote to close a school rather than have it integrated, or choose to keep it open, even if it meant some integration.

"We submit it will not work," he said. "It will not work because there is no such thing as local option. On the basis of the Atlanta and Athens federal court decisions, any qualified Negro attempting to enter any all-white school may do so. Where is the 'option' in this circumstance?"

* * *

IN DALTON, State Sen. Erwin Mitchell issued a statement in which he jumped on Mr. Gray. Said he:

"James Gray has capitulated to ignorance, demagoguery and Roy Harris. He is completely out of tune with reality and the thinking of the majority of Georgians.

"It is just as appropriate for James Gray to be head of the Democratic Party in Georgia as it would be for Martin Luther King to be grand dragon of the Ku Klux Klan."

* * *

ROY V. HARRIS of Augusta, a Vandiver appointee to the State Board of Regents, saw in the package only "one good feature." This, he said, was the provision for tuition grants to students who did not want to attend a mixed school.

The measure setting up tuition grants repeals all existing school segregation laws.

* * *

SAID Mr. Harris:

"Gov. Vandiver has been misled in his school plan.

"He submits it as a 'freedom of association' child protection defense package.

"Instead, it legalizes and makes possible massive integration in every school in Georgia.

"It compromises our principle of legalized segregation. . . .

"They propose to amend the constitution to give white children the freedom to pick their own associates. It is clear to every school child in Georgia that you can't give freedom to whites without giving the same freedom to Negroes. Then, when the whites and the Negroes pick the same associates, what will happen?"

INTEGRATION PLAN GAINS IN GEORGIA

Legislative Leaders Predict Early Passage of Vandiver Policy on School Option

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Jan. 19—Gov. S. Ernest Vandiver's legislative leaders introduced measure today that would allow public schools to comply with Federal Court desegregation orders.

The swift action by administrative forces in the House and Senate followed the Governor's retreat from massive resistance. He urged the new policy in a speech to a joint session last night.

The proposals include local option on the question of whether a school should be closed or desegregated, assurance of the right to refuse to attend desegregated classes and grants-in-aid for students who drop out of public schools.

In many respects the Vandiver package parallels the freedom-of-choice system now in force in Virginia. Significantly, however, Georgia appears ready to bow reluctantly to the will of the Federal Courts without first closing schools as was done in the Old Dominion.

Some Schools May Close

The plan, in effect, recognizes that some rural counties may abolish public education rather than accept desegregation. But it also would allow Atlanta to maintain public schools next fall, when it is scheduled to desegregate its eleventh and twelfth grades.

Under present laws, which would be repealed, state aid to this city's schools would be cut off. This action in turn would force the state to end financial support to every school in Georgia, according to legal experts.

Remarks of legislators indicated that the Vandiver plan would sail through both chambers with little trouble. Representative Frank Twitty, House floor leader, predicted enactment within a week.

The opposition appeared to lie mainly among followers of former Gov. Marvin Griffin, bitter enemy of the Vandiver Administration.

Eugene Cook, State Attorney General, outlined alternatives to the plan for the resistance-to-the-end faction in a statement to the Legislature.

Massive Integration

If the state relies on existing laws, he said, the result will be massive integration throughout Georgia under class action suits, without even requiring proof of discrimination by evidence.

A second course, according to Mr. Cook, is the abolishment of public education. His remarks on this summed up the Vandiver plan's most persuasive argument.

"The people in many rural counties might well abolish their schools to prevent integration therein," he said, "but it is clear that they would not abolish their schools merely to prevent integration in Atlanta or Macon, and so forth."

Clause on Petition

The local option measure makes no mention of desegregation but it is clearly designed to deal with the process. Its key provision states:

"Any county, city or other local school system Board of Education may * * * call an election on the question of suspending operation of the public schools * * * when a petition signed by at least 15 per cent of the registered voters residing within the local system is presented to the Board requesting such an election."

Suspension would not affect salaries of educators and other employes until the expiration of their contracts.

A so-called child protection amendment to the state constitution was introduced that would prohibit forcing any student to attend a school with members of another race. Legal experts believe this amendment will nullify Constitutional provisions requiring separate education for whites and Negroes.

Under the grants-in-aid measure, children between 6 and 18 years of age would be entitled, "in lieu of attending the public schools," to a grant of state and local funds "to be expended for the purpose of attending a non sectarian private school."

VANDIVER IMPLIES SOME INTEGRATION

Governor Declares Georgia Schools Must Continue—Won't 'Force' Students

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Jan. 9—Gov. S. Ernest Vandiver advocated by inference today some compliance with the public school desegregation rulings of the Federal Courts.

He did so by declaring that the state's public education system must be presedved.

"We cannot abandon public education," he asserted. "No one wants this. No one has ever proposed that that be done."

He said he would submit to the Legislature a "child protection amendment" that would guarantee that no student would be "forced" to attend a desegregated school.

However, he failed to fulfill a promise made yesterday to tell Georgians what he would do about a desegregation order that has threatened the continued operation of the University of Georgia.

Governor Vondiver dealt with the impending public school crisis in his annual message to the Legislature.

A number of lawmakers have shown growing signs of restlessness over the Governor's failure to outline a course of action in this area.

Most Oppose Closing

With few exceptions, the legislators have publicly voiced opposition to any step that would close the university to prevent desegregation. A sizable group has advocated repeal of state segregation laws that might close this city's public schools next September, when they are scheduled to begin desegregation.

Several legislators introduced measures today to repeal the mass of anti-integration laws, many of which are similar to those held unconstitutional in other Southern states.

The proposals also included bills that would provide for a state pupil assignment plan and for direct grants to students who refused to attend desegre-

gated schools.

In his speech, Mr. Vandiver conceded that the courts had struck down segregation laws in other states, "in each instance where the same have been litigated.

He continued: "All Georgians know that the Federal Courts are moving swiftly against Southern thought and culture and that they are doing so with a viciousness peculiar only to tyranny and dictatorship.

"Legal defenses that were enacted by the General Assembly —two, three, four or five years ago—are not presently enough in light of developments to afford all possible protection to the people."

The Governor then declared that the Legislature must protect the state against forced integration. He said:

"The Administration at this session will present for your consideration a child protection amendment designed to guarantee every Georgia child his God-given right to freedom of association and under no circumstances could he or she be forced to attend a school wherein intolerable conditions exist."

VANDIVER OFFERS INTEGRATION PLAN

N. Y. Times

Urges Georgia to Use Local Option on School Closing

New York, N. Y.

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Jan. 18—Gov. S. Ernest Vandiver urged tonight a retreat from Georgia's policy of massive resistance to public school desegregation rulings of the Federal courts.

The Governor asked the Legislature to adopt a package plan that would allow communities to decide whether to close their schools or obey the courts. He called for establishment of grants-in-aid for students who withdrew from desegregated schools and for clarification of a student's right to appeal his assignment to a given school.

A constitutional amendment, which Governor Vandiver said would "guarantee freedom of association," was also proposed. It is understood that this would be substituted for a constitutional clause requiring segregation.

Governor Vandiver spoke to joint session of the General Assembly. Before and during his speech in the House chamber, a roughly dressed file of men and women paraded around the Capitol carrying pro-segregation placards.

The address, interrupted twenty times by applause, was a sharp reversal by Mr. Vandiver. During his campaign for the governorship in 1958, he pledged that so long as he was governor not one Negro would attend school with whites.

"I must tell you quite frankly that a failure to resolve it will blight our state," he continued.

"Like a cancerous growth, it will devour progress—consuming all in its path—pitting friend against friend—demoralizing all that is good—stifling the economic growth of the state—and denying the youth of Georgia their proper educational opportunity."

Capitol circles thought it likely that the proposals would be enacted. This would mark the first switch by a state in the massive resistance column to a position of reluctant acceptance of desegregation without first closing its schools.

Significantly, it comes in the Deep South. Observers said the move reflected the growing awareness throughout the region of the lessons of Little Rock, Norfolk and New Orleans.

The legislation to be introduced after final details have been worked out is expected to paralle Virginia's "freedom of choice" plan in many respects. That state did not forsake massive resistance, however, until classrooms had been shut for half a school year and popular pressure had forced the withdrawal.

Application of Policy

The first practical application of the new policy would come next September. Atlanta's schools are scheduled to desegregate their eleventh and twelfth grades at that time under a Federal court order.

Many residents believe that if the city is given a choice, it will accord at least token compliance to the ruling. This attitude is considered to be a result of a two-year program of education conducted by the city's newspapers—The Atlanta Journal and The Atlanta Constitution—and such groups as Help Our Public Education, Ins., called HOPE.

Governor Vandiver delivered his address over a state-wide television and radio network against the backdrop of controversy aroused by the admission of two Negroes to the University of Georgia.

Legislators had just passed resolutions calling for the reinstatement of thirteen white students suspended after a riot Wednesday night at the campus in Athens.

They also praised the faculty minority that had refused to sign a statement calling for the return of the two Negro students. The two were withdrawn by university authorities after the riot but were readmitted Monday under a Federal Court order.

"I am addressing you not only as your Chief Executive," said Mr. Vandiver, "but as a devoted father with one son and two daughters in the classrooms of our public schools.

"I am speaking to them about their future, as much as I am speaking to you and your children about yours."

He then made these points:

¶Public education will be preserved.

¶Children will be protected and local administration and autonomy will be maintained.

¶Grants will be authorized for those who would attend private classes, and the public schools will be strengthened.

"The right of your child and mine to an adequate education to fit them for an increasingly competitive world will be enriched and guarded as are other sacred rights," he said.

Notes His Oopposition

Mr. Vandiver asserted that he, the lawmakers and the people of the state were still adamantly opposed to desegregation. But he conceded that many of the state's anti-intergration laws "have been transformed by recent decisions and events from possible instruments of defense to instruments of doom at the outset."

"* * * This General Assembly recognizes, as I do, unless some new laws, some new weapons, are sought now, our public schools in the future will be taken over and run by Federal injunction and policed by Federal troops," he said.

The Governor said he had conferred with many persons but that "no perfect solution" had been found. He then declared:

"I reject, as I know you and the people of Georgia do, any thought, suggestion, hint or encouragement of defiance of lawful processes or the subjecting of the children of Georgia to the bodily hazard of violence and mob rule."

As a result of the controversy over the university's desegregation, he pointed out, the state had come to see that every one of its schools might be forced to close unless present laws were changed.

"That [closing] is a possibility which you, I and the people of Georgia are unwilling to contemplate, much less permit," he asserted.

Governor Vandiver then pledged that "every legal means" would be used to prevent desegregation.

"Defiance, no," he declared. "Private schools offered as a last resort, yes."

But he underscored the intention to retain the public schools. He said that new implementing legislation was needed to allow the state to make grants to students dropping out of desegregated schools.

In a reference to the local-option proposal, he said:

"In order to authorize the suspension of public schools and their reopening, consistent with the wishes of their patrons, a new law covering this subject must be passed."

A constitutional amendment, to be voted upon in the 1962 referendum if adopted, would provide that no child could be forced to attend a desegregated school. This would eliminate compulsory attendance at public schools.

Mr. Vandiver and legislative leaders are known to believe that local school boards already have the power to assign pupils. Therefore, no pupil placement measure as such will be offered.

However, the administration plans to sponsor a law that would clarify the right of a student to appeal his assignment to the state Board of Education.

"The amendment and bills," the Governor said, "are intended to be cumulative to all effective and subsisting school legislation on the books and to augment and supersede those enactments which are now ineffectual as enabling legislation for our constitutional provision authorizing grants in aid.

"Their passage is an additional and necessary step in Georgia's efforts to avoid the harmful effects of the decision in the Brown case [the 1954 Supreme Court decision against segregation] and those which have followed."

School Bills Fair To All, Peters Says

The Atlanta Constitution

Atlanta Jour.

By REG MURPHY

Constitution Political Editor

The chairman of the State Board of Education Friday endorsed Gov. Ernest Vandiver's open school bills as "fair to all parties."

James S. Peters of Manchester, chairman of the board and an elder statesman of Georgia politics, said the governor's program means, "It is now up to the local units to operate their schools, with or without integration."

Peters was one of a group of educators, businessmen and grand jurors who handled the governor's four-bill school package that is designed to keep the schools open and segregated as much as possible.

The plan does not mean the legislators have acepted integration —"They accepted the governor's solution with certain reservations in their minds," he said.

Meanwhile, State School Supt. Claude Purcell wrote local school officials to enlist their help in asking legislators to support the school bills when they come to a vote in the House and Senate early next week.

Purcell wrote, "It is very important that all of us urge the members of the General Assembly to pass these bills at this session."

He added, "We all have reason to be grateful for the change in sentiment that seems to have come about throughout the state to the effect that the public schools must not be closed."

His analysis of the four bills which Vandiver sent to the Legislature: "(They) will give new direction to the course of action and provide an opportunity for local communities to determine for themselves these matters that affect their schools."

Meanwhile, the executive committee of the Atlanta Chamber of Commerce wired Vandiver congratulating him on his "excellent proposals."

Ivan Allen Jr., chamber president, signed the wire which said:

"The Atlanta Chamber of Commerce heartily commends and endorses your excellent proposals recommended to the Legislature. We pledge you our full cooperation in moving toward these new goals."

Co-signers of the telegram were chamber Vice Presidents E. D. Smith, Rawson Haverty and Ben S. Gilmer; Treasurer Mills B. Lane Jr. and immediate past President Edgar J. Forio.

In Dalton, the Whitfield County Grand Jury has praised local legislators for supporting the open schools bills.

The grand jury released a comment saying: "We support the position of local state legislators (Jack Boyett and Virgil T. Smith) in their announced views favoring continuation of the public school system in Georgia and recommend that they support legislation to abolish existing segregation laws and enact laws for a pupil-placement plan to be administered by the various school boards throughout the state."

Sen. Herman Talmadge and Rep. James C. Davis, contacted in Washington, said they had not had opportunities to study the school proposals and would not comment.

In another development, the Southern Association of Colleges and Secondary Schools has warned it is "watching with concern" developments at the University of Georgia.

Chancellor Harmon W. Caldwell of the University System confirmed Friday he received a call from the association which said "anything which amounts to an invasion of the jurisdiction of university officials" could endanger the accreditation of the university.

Both the Georgia House and Senate have passed resolutions asking university officials to reinstate students who were suspended during riots at the desegregated institution last week.

The association, which has an Atlanta office, has the power to take any school off the accredited list if there are violations of its rules. One of the rules forbids political interference in university affairs.

Georgia lost its accredited standing in 1941 when the late Gov. Eugene Talmadge allegedly pressured the State Board of Regents into firing Walter D. Cocking, dean of the college of education, and a professor.

14d(1) 1961 GEORGIA

ATLANTA-
ATTY. Gen. ROBERT KENNEDY

Atty. Gen. Kennedy Expects Peaceful Integration Here

The Atlanta Constitution P.1

Atty. Gen. Robert Kennedy declared Monday that he expects no "difficulties" in Atlanta's school desegregation but vowed to back up U.S. "responsibilities" in any case.

Pics. 8-1-61

In an interview filmed for WSB-TV, Kennedy said it would be foolish "for us not to recognize the potentially explosive problems."

Atlanta Ga.

Referring to a recent conference between Department of Justice and Atlanta officials, the attorney general explained:

"I'd much rather have a conversation and a discussion at the present time . . . than when it's too late."

Kennedy declined to comment directly on the constitutionality of Georgia's local option and tuition grant laws. He said he would have to examine the "particulars."

But in an earlier question from WSB-TV news director Ray Moore, Kennedy indicated that he believed similar laws in Virginia to be illegally used.

"This is a matter of great concern to us that the public schools are closed, in our opinion, in order to circumvent a court order," Kennedy said.

Georgia's local option law would allow local referendums to decide whether local school systems should remain open or be closed. The tuition grant law provides funds for any child of school age to use in a private nonsectarian school.

In other matters, Kennedy said that the Department of Justice had no advance knowledge of the first "freedom ride" and did not "encourage" the demonstrations but attempted to obtain a "cooling off" period.

But he asserted that the department was determined to protect the right of interstate bus passengers.

Kennedy said he attempted to extract promises from Alabama officials that they would maintain law and order and dispatched federal marshals to Montgomery only after riots broke out.

Marshals were not sent to Chicago in the wake of recent racial troubles there, Kennedy said in answer to another question, because "in Chicago, the police are not standing back and waiting for people to be beaten up for 10 or 12 minutes and then stepping in."



NO "DIFFICULTIES"
Bobby Kennedy

The Atlanta Constitution

On Atlanta's impending school desegregation, the attorney general said that he had "great confidence in the State of Georgia, the people and authorities of that state and the City of Atlanta.

Pics. 8-1-61

"This is a very difficult problem for Southern states to accept. For us not to recognize the potentially explosive problem would be like sticking our heads in the sand.

"I'd much rather have a conversation and a discussion at the present time to see what steps can be taken or what help or assistance is needed from the federal government. I'd rather have a conversation now rather than when it's too late.

"I believe the situation will be handled without any problem because I think the authorities including the attorney general (Eugene Cook) and others have really faced up to it in the State of Georgia."

State Offers Rules On Private Schools

The Atlanta Constitution
Atlanta, Ga.

By RICHARD ASHWORTH

All of Georgia's 197 school superintendents have been sent a suggested list of criteria which local school boards may use in determining whether some institutions qualify as "private schools."

Dr. Claude Purcell, state school superintendent, said Thursday the criteria are intended as "factors the local boards might consider" in passing on applications for tuition grants under the law passed by the recent Legislature.

The superintendent emphasized that the State Department of Education is not trying to tell local school boards what regulations to adopt, but is trying to supply them with information they have requested.

The criteria are included in proposed regulations—which may be adopted by local school boards—to govern administration of grants under the new law.

In a letter to all superintendents, Dr. Purcell said the proposed regulation includes "an administrative interpretation of 'private schools' made necessary by the fact that the act as passed does not purport to set forth an enumeration of requirements which every 'private school' must possess in order to receive pupils who obtain grants."

The proposed regulation sets forth "some of the criteria and things which you and your board would consider (and which any court would likely consider independently of regulations) in determining whether any particular institution could . . . be deemed a 'private school'," the letter states.

When the tuition grants law was before the Legislature, legislative leaders struck down attempts to put such regulations in the law on the grounds that this amounted to state control and would result in the invalidation of the grants law.

Opponents of the bill contended that without the regulations, fly-by-night operators could set up private schools and receive funds under the law.

Dr. Purcell's letter said the regulations had been drawn up in cooperation with Atty. Gen. Eugene Cook.

$5 MILLION VOTED

Financing for the grants will be provided through a $5 million appropriation in the 1961-62 state budget. Dr. Purcell has recommended that the state pay 100 per cent of the cost of the grants for the first year.

The grants will be based on average per pupil costs, or about $225 per child.

School systems are expected to lose funds under the program later because transfers to private schools may result in a loss of average daily attendance, one of the factors on which allocations are based.

$750,000 FIRST YEAR

Dr. Purcell estimated Thursday, however, that the cost of the program in the first year won't be more than $500,000 to $750,000 "because I don't think many people will be dissatisfied with the public schools."

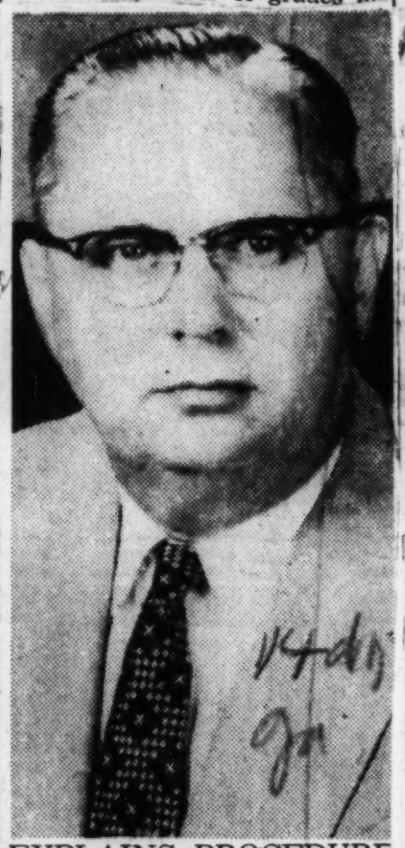
The proposed regulations say that the board, in determining whether the institution in question qualifies as a private school within the meaning of the tuition grants law, "will give consideration to and be guided by the following criteria:

"1. The date such institution was established or founded and the continuity or lack of continuity of its operation.

"2. The number of pupils enrolled and the average daily attendance therein for the immediately preceding school year.

"3. The number and qualifications of the teachers and other personnel employed by such institution.

"4. The number of grades and



EXPLAINS PROCEDURE
Claude Purcell

classes taught each day, and the pupil-teacher ratio.

"5. The accreditation or lack of accreditation of such institution by the Southern Association of Colleges and Secondary Schools, the Georgia Accrediting Commission, and other comparable organizations.

"6. The physical plant and other facilities such as lunch room, library, laboratories, and shops.

"7. Sanitation and fire safety evaluation of such school's facilities.

"8. The number of days taught each school year and the minimum number of classroom hours required each year.

Desegregation Nears Here; Negroes Wary of 'Controls'

The Atlanta Journal + Constitution
Atlanta, Ga.
Jun 4 30 61

Complying in 'Good Faith' With Court Order, Officials Say

By RALEIGH BRYANS

What pretty clearly is the beginning of the end for school segregation in Atlanta begins Monday amid some watchfulness and caution on the part of both white school officials and the Negro community.

Negroes who desire transfer to previously all-white schools—in compliance with a federal court order—begin the application process.

They begin it by picking up the application blanks—what could be a simple-enough process. But it won't be exactly simple, a fact which suggests the caution with which the matter is being approached by all parties.

City officials say that everything they are doing is in "good faith" compliance with the federal court order. The local Negro leadership has expressed fear that the ground rules for desegregation will have the effect of inhibiting the number of Negroes who apply.

* * *

IN ADVANCE, however, not even Negro leaders knew—or would say—how many applicants there might be during the 15 days when applications legally can be made. School officials made no forecasts whatever.

The applications will be available for the first time Monday morning. The only place where they may be obtained is at City Hall, in the 11th floor suite of offices which includes that of School Supt. John Letson. Dr. Letson's secretary, Mrs. Fannie Knight, will hand them out.

Having the forms available only at City Hall is a "control" step. So are a couple of other rules for their handling: Each form will carry a number, and the person who picks it up must sign a receipt for it.

* * *

THESE STEPS are not, in the words of Dr. Letson, a "deterrent" to keep Negroes from applying. The superintendent says they are merely an effort by school authorities to keep tab of the number of applicants who will be involved, so planning can be done.

But Negro Attorney D. L. Hollowell, one of those who helped push the suit which resulted in the desegregation order, has remarked that some Negroes think it is easier to "go to Yale than to transfer from one public school to another in Atlanta."

Once they have the application forms in hand, Negroes face screening under a court-approved pupil placement plan. The grounds under which their applications may be accepted or rejected are the source of yet more dissatisfactions in the Negro community.

* * *

A QUESTION Negroes already are posing is whether the pupil-placement procedures will be applied alike to white and Negro transferees. And the future of the pupil-placement plan may hinge on how events and-or the courts' answer to this question.

Rev. Samuel Williams, the president of the Atlanta branch of the National Association for the Advancement of Colored People, has spoken of certain aspects of the plan as "simply stumbling blocks put in the way" of would-be transferees.

The screening process involves interviews for both the Negro applicants and their parents. The applicants also are subject to a battery of tests — standardized achievement, scholastic aptitude and personality adjustment tests. Their files, when further fattened by reports school officials will make of the particular school neighborhoods involved, finally must be considered by a special "reviewing" committee.

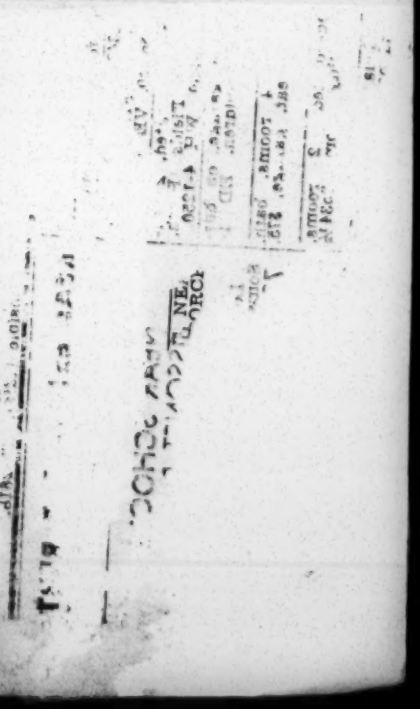
Negroes have from Monday through May 15 to pick up the forms. But May 15 also is the deadline for submission of actual applications, so the presumption is that the last forms will be picked up some days before that.

* * *

SCHOOL OFFICIALS do not expect to have an idea how many applications there may be until near the end of the period. While they have no way of knowing, they expect the larger number of would-be applicants will pick up forms towards the end of the period, rather than right at first.

School officials state that once a Negro applicant has picked up an application form, there will be no contact made with him for any reason, by any school official, until after he has completed the application and filed it with his principal.

This assurance clearly is directed at fears Negroes have expressed that some efforts at economic or other reprisals may be made against the parents of the Negro applicants.



"School Reassignments" Mass Meet At Friendship Tonight

Regulations To Be Explained To Public

Atlanta Daily World
Atlanta, Ga.

Tonight at Friendship Baptist Church, 437 Mitchell St., S.W., a public mass meeting has been scheduled for 8 o'clock, to aid parents and students in following regulations set forth by the Atlanta Board of Education for school reassignments Monday to previously all-white schools.

Jun 1 4-30-61

Dr. Samuel W. Williams, pastor of the church and president of the local NAACP branch, stated earlier in the week that "NAACP leaders will make themselves available" to help parents or students who seek information regarding transfer application procedure.

Rev. Otis Moss, vice president of the Atlanta NAACP, will deliver the principal address.

Due to the numerous questions that have been unanswered regarding application procedure for students desiring to enroll at formally all-white high schools, mass meetings have been scheduled for May 1 and May 9.

Under Atlanta Board of Education regulations, application forms will be available at City Hall in the office of Dr. John Letson, school superintendent at 8:30 a. m. Monday.

Rev. Williams has criticized the application blank questions as, "simply stumbling blocks put in the way" of would - be transferees.

The application for assignment or transfer of pupils lists the name of the school which the pupil seeks to transfer, the date application is made, name of child, sex, race.

Other questions on the transfer form request home address, mother's name, father's name, or name of legal guardian, seeks information as to whether pupil lives with mother or father or others, and asks status and employer of parents, as well as solicits information as to previous schools attended.

Monday, May 1, a mass meeting will be held at Springfield Baptist Church, located at Merritt and Piedmont Streets, at 8 p. m., sponsored by the Northeast Council of Clubs.

Another informatice meeting will be held at the Radcliffe Presbyterian Church, Hightower Rd., NW., May 9, at 8 p. m., with the Northwest Coordinating Council of Clubs sponsoring the occasion.

All parents who expect to apply for reassignment May 1-15, and interested citizens are urged to attend the meetings.

Negro pupils now eligible to integrate

The Atlanta News
Friday

ATLANTA, May 1—(AP)—Negro pupils today were eligible for the first time to apply for transfers to the 11th and 12th grades in white Atlanta public schools.

The step was the first in a Federal Court ordered desegregation plan scheduled to go into effect in the Fall. The plan specified applications for transfers must be made between May 1 and May 15.

There was no indication how many applications would be received. Negro leaders urged pupils to apply in large numbers to make sure the Board of Education acted on the requests.

Mayor William B. Hartsfield predicted desegregation of some city schools would take place without major trouble.

"THERE WILL BE desultory efforts to cause trouble, mostly from outside of Atlanta by people who want to embarass us," he said yesterday.

Mass Meeting On Pupil Assignment Procedures Sun.

Atlanta Daily World 1-1
Atlanta, Ga. Sat. 4-29-61
14&10 Exa

A public mass meeting on pupil assignment procedures will be held at the Friendship Baptist Church, 437 Mitchell St., S.W., Sunday, April 30, 8:00 p.m. Dr. Samuel W Williams, pastor of the church and president of the Atlanta Branch, NAACP, has been assured cooperation by the churches of the city, that their congregations will attend the meeting.

This meeting precedes the epochal date for pupil applications for transfers to desegregated schools in Atlanta. Because of the tremendous number of inquiries from parents and leaders, the Mass Meeting is planned to aid the public.

Reverend Otis Moss, Vice President of the Atlanta Branch, NAACP, and pastor of Providence Baptist Church, will deliver the principal address. Other consultants on Pupil Assignment will be on hand to answer questions about it.

Two area Mass Meetings will follow. On Monday night, May 1, the Northeast Council of Clubs and Organizations will hold a meeting at Springfield Baptist Church, Merritt and Piedmont Streets.

Reverend J. D. Grier is President of the Council and Reverend W. M. Willis is pastor of the Church. Doctor Samuel W. Williams will deliver the principal address.

Another meeting with the Northwest Coordinating Council of Clubs will be held at the Radcliffe Presbyterian Church, Hightower Road, Northwest, May 9, 8:00 P. M., Reverend W. S. Mercer is pastor and President of the Council.

All parents who expect to apply for assignment May 1-15 and interested citizens are urged to attend the meetings.

14d(1) 1961 GEORGIA

AUGUST
ATLANTA - SCHOOL SAFEGUARDS

School Safeguards Go In Effect Today

By BRUCE GALPHIN

While most of Atlanta appeared to be facing school desegregation quietly Monday, Police Chief Herbert Jenkins ordered special security measures into effect Tuesday in the wake of minor picketing incidents.

This precautionary measure was taken several hours after School Supt. John Letson predicted that Atlanta's schools will be desegregated peacefully when 10 Negro students enter four previously all-white high schools Wednesday morning.

He told a group of Chamber of Commerce leaders from throughout the state that he does not expect Atlanta to be "a Little Rock or a New Orleans."

Jenkins' order came on the heels of these events Monday:

1. Pickets showed up briefly at Murphy High School and more lengthily at City Hall to protest desegregation.

LITERATURE DISTRIBUTED

2. Separate Schools Inc., a group connected with previous distribution of anti-integration school literature, was mailing letters calling for boycott of desegregated schools.

3. More "hate" literature was being distributed throughout the city.

Jenkins said some of the racist literature carried names, addresses and photographs of the 10 Negro children who will enter four desegregated schools Wednesday.

Supt. Letson meanwhile told leaders of various Georgia Chambers of Commerce at a meeting here that "If all goes well, there will be presented to the world a picture of the city of Atlanta that's a true picture . . . not one drawn by a small minority attempting to speak for the majority," Letson said.

"Many Atlantans may not like what is transpiring," he added, "but they are mature enough to accept it."

Mayor Hartsfield, in Seattle, Wash., at a convention, said he was not perturbed by the picketing at City Hall.

IDENTIFIED PICKETS

"It's to be expected," the mayor told The Constitution by telephone. "This is just a bid for publicity. It's not the first time City Hall has been picketed."

Police identified the City Hall pickets as Robert A. Bowling, Richard Bowling, Henry Grady Ashe, William R. Ashe, all of the Atlanta area, and Robert E. Lyons, an unemployed clerk from Reading, Pa.

The Ashes and Robert Bowling have participated in recent picketing of The Atlanta Constitution and The Atlanta Journal.

Pickets at Murphy High were not identified. Police said they stayed only a few minutes. Witnesses said the two pickets were apparently teenagers.

Det. Capt. R. E. Little said that if pickets show up Tuesday, they will be arrested. Classes begin Wednesday, but many students will be registering Tuesday.

LETTERS TO STUDENTS

The call for school boycott came in letters mailed to high school students by Separate Schools Inc. under the signature of Boyd Taylor.

The letters cited possible disturbances at the schools.

Meanwhile Monday, Opie Shelton, executive vice president of the Atlanta Chamber of Commerce, said any disorders here could imperil the $1,750,000 Forward Atlanta program. (Story on Page 5.)

But mayoral candidate Lester Maddox said another mayoral candidate, Ivan Allen Jr., had given a false picture of the economic troubles which followed in Little Rock, Ark., after school disorders there.

Maddox called Allen's published report "a shotgun marriage of garbled facts and distorted conclusions."

14d (1) 1961 GEORGIA

AUGUST

Atlanta Opens Four Schools To Negroes

Jackson Daily News

ATLANTA (UPI) — In 10 more days, Negroes will begin classes at four previously all-white Atlanta high schools — and another stronghold in the South's slowly-yielding battle against integration will have fallen.

The end of public school segregation in Georgia will leave only three states — Alabama, Mississippi and South Carolina — which have no race-mixing in their schools as Georgia become the 14th state to lower its barriers in the seven years since the U.S. Supreme Court struck down school segregation.

However, the temper of Atlanta is not that of Georgia as a whole. And while 10 Negro students will attend integrated classes here this fall, there's no immediate sign that other Georgia cities will be following suit. Rather, opposition to integration outside the Atlanta area appears to remain as firm as before.

But Atlanta was faced with a federal court edict while the rest of the state was not. Mayor William B. Hartsfield, a racial moderate who will retire this year after 24 years in office, and city School Supt. John Letson, a progressive educator lured here from Chattanooga, Tenn., have led a campaign aimed at integrating the Atlanta schools with none of the violence of Little Rock or New Orleans.

When trouble broke out in New Orleans, specially detailed Atlanta policemen were on the scene — hoping to profit by first-hand observation and thereby avoid the pitfalls which Louisana authorities encountered.

DEVISE A PLAN

The lessons of Little Rock and New Orleans appeared to have been well learned. Atlanta officials have devised a series of measures aimed at enabling integration here to proceed as smoothly as possible.

Indoctrination classes were conducted for high school students, their parents and civic groups. The same theme was hammered home: Atlanta will be on trial before the entire world and any beach of the peace would disgrace the city and its citizens.

At Brown high school, one of the four schools to be integrated, the students were told, "Khrushchev will be watching you."

Next, a careful screening process cut 133 Negro applicants down to a select group of 10 — all top students from above-average families. And these students were split up so that no more than three were assigned to any one school, all in the 11th and 12th grades.

The four high schools selected are spread far across Atlanta. Northside is in an exclusive residential section in the northwest section of the city; Brown, in the southwest, and Murphy, in the southeast, are both in middle-class neighborhoods. Grady, the largest of the four, is in an old section of town which lies only a few blocks from the main business district.

"We figured that by spreading out the integration to all four sections of Atlanta, that no one area could feel that it had been put upon," Hartsfield said, also by spreading out like this, we're keeping those persons who might attempt to cause trouble from having any single target."

PREVENTATIVE MEASURE

Hartsfield said this was also the reason why the names of all 133 Negro applicants were publicized. "We wanted to prevent those in opposition from taking out their feelings on just a handful of students."

But Atlanta officials don't plan to leave anything to chance. Squads of policemen have been assigned to each of the four high schools. Only the students and the teachers will be permitted on the school property and crowds will not be permitted to gatner near the schools.

Letson emphasized that he does not expect any trouble from within the schools. He feels that the students are ready to accept their Negro classmates and that pride of school will create a competitive spirit that will find the student bodies at each of the affected high schools trying to outdo the others in maintaining harharmony.

If trouble does come, Letson said, it will be by outsiders. "But we do not anticipate any trouble that we cannot handle."

Letson beamed with confidence as he spoke ot Atlanta's plans. There was no doubt that he expects the integration at the four schools to come off without a hitch.

Police Chief Herbert Jenkins speaks of the forthcoming integration with as much confidence as Letson. But the chief emphasizes that although he is not expecting any trouble, the Atlanta Police Department is preparing for the worst. He said an armored car loaded with tear gas bombs and shotguns will be standing ready and additional police will be available to speed immediately to the scene of any violence.

PTA Aid Is Asked In Desegregation

Constitution State News Service

ALBANY — Local Parent-Teacher Associations whose schools are ordered desegregated were urged Friday to help schools "comply peacefully and with dignity."

A recommendation to this effect—introduced from the floor at the 47th annual meeting of the Georgia Congress of Parents and Teachers here—was passed by nearly 1,000 delegates representing 1,070 PTA groups over the state with a membership of 270,712.

The recommendation listed three ways to aid compliance with desegregation orders:

1. Firm maintenance of peace by enforcement of local laws.

2. Initiation by PTAs of programs to prepare communities for peaceful desegregation well in advance.

3. And cooperation with other organizations to institute similar programs of preparation.

In another recommendation the group "deplored" Gov. Vandiver's veto of a bill repealing the age limit for admission to state supported colleges.

The delegates urged the governor to establish immediately a Youth Commission to develop a program for the prevention of juvenile delinquency and be responsible for training schools, detention homes and probation services for children.

An adequate appropriations bill for continuing the school lunch program at present levels was endorsed by the organization.

The PTA delegates also adopted a proposal to prevent the repeal of the compulsory school attendance law, implemented through study groups and direct appeal to legislators.

Catholics Plan To Match Public School Integration

Roman Catholic bishops in Atlanta, Savannah and Charleston announced Sunday that parochial schools will be desegregated "not later than" public schools in their dioceses.

The newly enunciated policy, announced at all services Sunday in pastoral letters, states that:

"Catholic pupils, regardless of color, will be admitted to Catholic schools as soon as this can be done with safety to the children and the schools.

"Certainly this will be done not later than the public schools are opened to all pupils."

The pastoral letters also announced a "program of preparation," to be conducted this year, which will include pastoral letters, sermons, study clubs and school instruction to "explain the full Catholic teaching on racial justice."

Negro schools, it was announced, "will be continued as long as there is need for them. Their purpose is to reach and teach the Negro, not to segregate him."

The statement of policy was issued separately in each of the three dioceses, but each pastoral letter was similarly worded.

It was signed in the Atlanta diocese by Bishop Francis E. Hyland, in Savannah by Bishop Thomas J. McDonough and in Charleston by Bishop Paul Hallinan.

The letters also contained a strongly worded reaffirmation of the Catholic policy against racial discrimination.

The bishops, the letters stated, "will prudently judge the appropriate time and conditions in such a way that the schools and the children, whether white or Negro, will not suffer by the change."

The decision to pace parochial school desegregation with public school desegregation may have been based in part on the troubles encountered by the church in New Orleans.

"The influence of the Catholic Church in the South," the pastoral letters said Sunday, "has not been based on great numbers but upon great faith. When changing times have called for fresh application of the eternal God-given principles, our loyal people have not wavered. Nor will they waver now."

The bishops declared that "the issue of racial justice is not new, nor is it only Southern.

"In time of crisis, our people look to the church to state moral principles and to apply them to practical situations," the letters said. "With racial tension mounting, the Church must speak out clearly. In justice to our people, we cannot abandon leadership to the extremists whose only creed is their own fear and hatred.

"The fear is unworthy and in large measure unjustified. All peoples have a pride of race, a pride which they naturally desire to maintain and to preserve. This pride of race is by no means destroyed or even weakened when one people recognizes the rights of others . . ."

GEORGIA'S SESSION BREAKS WITH PAST

Legislature's Moves on Tax, Racial and Other Issues Blunt Rural Domination

Special to The New York Times.

ATLANTA, March 11—Georgia legislators adjourned a session this week that saw a sharp break with a past dominated by rural conservatism.

Under prodding from Gov. S. Ernest Vandiver's administration, the legislature approved a retreat from the state's policy of massive resistance to school desegregation. It also took tentative steps toward readjustment of Congressional and legislative representation and tax equalization.

Some observers said the General Assembly's actions reflected a decline of "woolhat" agrarianism and a growing strength of forces more in tune with the state's expanding industrialism. The so-called woolhats provided the hard core of support for the late Gov. Eugene Talmadge and, more recently, for former Gov. Marvin Griffin.

tOher observers contended that the legislators had simply become aware of a basic change in popular sentiment and did not want to be left behind.

Racial Laws Repealed

The steps taken to allow local communities to decide whether to comply with the desegregation rulings of the Federal courts are generally regarded as the most important.

Segregation laws were repealed. The Legislature then enacted statutes providing local option on keeping schools open even if desegregated, clarification of pupil-assignment regulations and a state constitutional amendment that would, in effect, strike down a requirement for compulsory segregated education.

It was pointed out that Georgia was the first Southern state to retreat from massive resistance to school desegregation without undergoing a disruption of its public education system.

In another departure from the regional pattern, the legislators defeated a move to revoke compulsory school attendance where desegregation takes place. They also defeated a proposal to establish a sovereignty commission patterned after those in other Southern states.

The commission would have been empowered to investigate the desegregation problem, draft laws on the subject, subpoena witnesses and find persons in contempt.

County-Unit System Studied

In another development, a House committee was established to review possible changes in Congressional and legislative representation. It als is expected to look into the question of revising Georgia's controversial county-unit system.

The system reduces the influence of urban areas in state and district elections. Some observers believe it will be struck down by the Federal courts before the Legislature has an opportunity to modify it.

Tax equalization is conceded to be one of the state's basic needs. While the Legislature authorized loans to counties for tax reappraisal and expenditures by municipalities for this purpose, it failed to earmark money to finance the project.

The Legislature also sought to discourage speed traps. It approved a bill to strip county sheriffs and policemen of the right to operate speek-timing devices on highways, restricting that right to state highway patrolmen and municipal authorities.

However, an attempt to remove what is considered the underlying cause of the speed trap died in committee. This was a proposal to pay sheriffs on a straight salary basis and thus eliminate the need for them to collect fees to subsist.



Associated Press

SPURS GEORGIA LAWS: Gov. S. Ernest Vandiver.

Extra $1 Million Should Go For Teacher Raise, Hall Says

By MARVIN WALL

Floyd Rep. Battle Hall told the State Board of Education Wednesday that an unanticipated $1 million increase in "chargeback" funds should be used to give teachers a $31 raise.

Hall said the Legislature intended that all increases in the "chargeback" be used to raise salaries of Georgia's 32,000 teachers.

When Hall finished making his statement, he got into an exchange with Board Chairman James S. Peters—not about the "chargeback," but about what Peters called "fiscal responsibility" on the part of the Legislature.

Peters pointed out that the Legislature broadened state allocations for bus transportation and passed a tuition grant bill earlier this year without appropriating funds to carry out either piece of legislation.

"The General Assembly is going to have to exercise fiscal responsibility," Peters declared. "We can't finance with magic."

Hall replied that bills pertaining to schools were referred to the Department of Education for recommendations, and none passed over the department's objections.

"Our problem is to know who makes the budget," Peters told Hall. "This board allocates the money, but we don't have too much influence."

Peters pointed out that the governor has the final say in budgetary matters.

Hall said he wanted to go on record before the board about the legislative intent regarding increases in "chargeback," or required local effort. Hall recalled that he authored a bill several years ago that "unfroze" the chargeback, and the Legislature made its intentions clear at that time.

Hall is chairman of a joint legislative committee studying Georgia education. He is a probable candidate for state school superintendent.

The unexpected increase in chargeback funds "belongs to the school teachers, whether they get it or not," Hall told the board.

Gov. Ernest Vandiver earlier this week said the $1 million chargeback bonus will be applied to a $300 raise already voted for teachers by the Legislature. The additional $1 million in state funds thus released for other uses will be held for emergencies, Vandiver said.

Thus, the additional chargeback funds technically will be applied to a teacher pay raise. However, Hall contends that teachers should be getting a $331 raise because of the unanticipated chargeback increase, instead of $300.

Later Wednesday the board voted to expand its experiments with ungraded primaries. Instead of two schools in each district, next year there will be four. However, each school will get $1,000 instead of $2,000.

The board turned down appeals regarding school consolidations and pupil assignments in Chattooga, Bartow, and Elbert counties.

Atlanta's Pupil Placement Plan Explained To Public

(This article and one other article to follow are available in mimeograph form for distribution to persons interested in an interpretation of pupil placement. Write or call the Atlanta Branch, NAACP, 236 Auburn Avenue, N.E., Atlanta 3, Ga., phone: MU. 8-6064. It was furnished under the auspices of the Atlanta Branch Education Committee, Dr. Samuel W. Williams, president; Dr. Tilman C. Cothran, chairman, and written by Dr. Amos O. Holmes, Georgia field secretary, coordinator.)

ARTICLE II.

"The superintendent of schools may in his discretion require interviews with the child, the parents or guardian, or other ersons and may conduct or cause to be conducted such examinations, tests, and other investigations as he deems appropriate."

The parents and the child must appear for any test or interviews deemed necessary by the superintendent. Failure to appear will be deemed a withdrawal of the application. Hearings should be concluded by June 15 on all applications.

OBJECTIONS TO ASSIGNMENT OF PUPILS

1. An appeal of the decision of the school superintendent, denying the transfer of a pupil, may be made in writing by the parents of the pupil and within ten (10) days from the date which the parents received the written notice of denial or assignment from the superintendent. The Atlanta Board of Education must give the parents a written notice of its hearing on the appeal at least ten (10) days of the time and place of the hearing. "Failure of the parents or guardian to appear at the hearing will be deemed a withdrawal of the application." Normally, a decision would be concluded within thirty (30) days after the appeal is filed with the board.

2. If the Atlanta School Board makes a decision to deny the appeal of the parents, the parents may file in writing, with five (5) days from the date of the Board's decision, supporting grounds of disagreement. Whereupon the Board shall meet promptly to reconsider the objections of the parents.

3. If the Atlanta School Board makes a final decision to deny the appeal of the parents for a transfer of a pupil, the parents may appeal in writing to the State Board of Education as provided by law. (Instructions on the appeal to the State Board of Education will be made available). All appeals must be concluded before Sept. 1).

4. For legal advise beyond the appeal stages, consult legal counsel.

(Next article, Timetable and Desegregation Under Pupil Placement).

NAACP ARTICLE III ON PUPIL PLACEMENT

By AMOS O. HOLMES, Georgia Field Secretary, Coordinator

ARTICLE III

Two articles on Pupil Placement have preceded this one, The Public's Responsibility Toward Implementation of the Pupil Placement Plan, and Hearings on Applications and Appeals Under Pupil Placement. The former articles with this one are available at the Regional and Branch Offices of the NAACP. This resource and speakers for discussion groups are available. Keep the following date before you, they are important.

May 1-15 — Students in the 10th and 11th Grades may acquire applications from the Superintendent of Schools or the Places designated by him, and applications for pupil assignment must be made, and returned to the same places.

May 10-June 15 — The Superintendent of Schools may require hearings with pupils, parents and others, testing and examinations of pupils, and is required to render a decision on the applications for assignment by June 15.

June 15- July 15 — The Atlanta Board of Education may hear appeals from the Superintendent's decision and render a decision which normally could come within thirty (30) days after parents appeal.

September 1 — Deadline for completing all appeals to the Atlanta Board of Education, and the State Board of Education as required by law. For lgeal advice beyond the appeal stage, consult legal counsel.

Finally, desegregation will come, when you, Mr. and Mrs. Parents of pupils, and the pupils themselves decide that you want the benefits offered by the Pupil Placement Plan.

Tuition Law Hit By School Men

Administrators Urge Its Repeal, Cite Danger to Public Setup

By CURTIS DRISKELL

In a terse and hard-hitting resolution, the Georgia Association of School Administrators Saturday declared itself opposed to the state's tuition grant law and urged its repeal by the legislature.

". . . It appears that such a program of grants would jeopardize the operation of the regularly established public school organization," the association said.



Gordon Holstun

The resolution was adopted unanimously at a statewide meeting of the organization in Athens, attended by about 125 members.

Although the private school tuition grant law—a part of Gov. Ernest Vandiver's "open schools" legislation package—has come in for some hard verbal knocks, the opposition by school administrators marked the first outright stand by an education group of statute.

The Georgia Association of School Administrators is made up of superintendents, principals and others in the nonteaching field of education across the state.

* * *

GORDON HOLSTUN of Thomaston, superintendent of Upson County schools, is its president.

Revis D. Blakeney, superintendent of the city school system of Gainesville, was chairman of the resolutions committee which brought the resolution before the association Saturday.

The resolution reads:

"Whereas, the General Assembly of Georgia in its last regular session enacted enabling legislation to implement a program to provide tuition grants for certain public school children who qualify for such grants, and,

"Whereas, it appears that such a program of grants would jeopardize the operation of the regularly established public school organization.

"Therefore, be it resolved that this organization of school administrators expresses its opposition to this enabling legislation and requests the General Assembly of Georgia to give consideration to a repeal of same."

THE TUITION grant law was put through the Legislature as one of four measures in the Vandiver package. It provides that grants can be paid to school children who want to attend private, nonsectarian schools. It is supposed to guarantee "freedom of association" for students in schools forced to desegrate.

The law doesn't mention segregation or integration—it couldn't and still withstand an attack on its constitutionality—but it was plainly intended to make the grants available to children whose parents object to the children's attending desegregated schools.

The state started the program officially rolling about 10 days ago when Gov. Vandiver announced he is cutting loose $1 million for financing the grants.

AT THE SAME TIME, State School Supt. Claude Purcell released a set of regulations for administration of the grant program.

The way it is set up, local school boards decide whether or not to award the grants to applicants, and those applicants who feel they are wrongfully denied grants can appeal to the state board.

An estimated 100 to 150 requests for grants had been made before the governor said he was financing up to a million dollars worth this school term. The requests stepped up in tempo thereafter, especially in the Atlanta area systems, which were expected to bear the biggest brunt of requests.

Local systems receiving those requests have been filing them in letter form until the grant program gets to the point of processing applications and making actual payments.

* * *

THE PROGRAM, as interpreted by the state's legal forces, permits a grant for any school child in Georgia who requests one—whether he is now attending public or private school—and permits it to be used for any private, nonsectarian school, in-state or out.

State Allots A Million for Pupil Grants

The Atlanta Constitution
Dis. 10-20-61
P.1

By BRUCE GALPHIN

The state will foot the bill for tuition grants—up to $1 million, Gov. Ernest Vandiver promised Thursday. Applicants have a Jan. 1 deadline for the current school year.

The governor's release of $1 million in surplus funds coincided with State School Supt. Claude Purcell's announcement of detailed rules for applying for grants.

Atlanta Ga.

One of the regulations makes it almost certain that most tuition grants for the current (1961-62) school year will go to children already in private, nonsectarian schools.

ACCEPTANCE FIRST

According to the regulation in question, an application must be accompanied by the name of the private school the child has been "accepted to attend."

Except for those to pupils already in private schools, that means the only other grants which would be given this year would be to children who can gain admission to private schools between now and Jan. 1.

Various local school officials predicted that most parents with children in private, nonsectarian schools would take advantage of the tuition grants.

That could run into the thousands statewide.

100 REQUESTS HERE

More than 100 requests already have been received in the Atlanta, DeKalb and Fulton systems. Superintendents predicted there would now be a "flood" of applications.

Officials estimate that the grants would run from a low of $130 a year in some systems to a high of $300 a year in others.

Local school officials were cautious in commenting on the new developments.

Only Atlanta Supt. John Letson announced that he was ready to carry out the program, and he added the proviso that the school board must review and approve it.

"As long as the state supplies the money, and it is a state program, we will do our best to administer it," Letson declared, "irrespective of how many question marks we may have about its ultimate wisdom."

WANT REVIEW

Both Fulton Supt. Paul West and DeKalb Supt. Jim Cherry said school board attorneys would have to review new developments before they made specific comment.

West said he was not certain that $1 million would be enough for the current year or succeeding years, and not certain the state would continue supplying the money.

The Atlanta Constitution

(In its third year of operation, the state's share of the tuition grant program in Virginia runs about $2.5 million annually.)

These are some of the points in the regulations announced Thursday by State School Supt. Purcell.

Dis. 10-20-61

1. Applications must be made to local boards on standardized forms supplied by the boards.

2. Parents must supply detailed information on names, addresses, race and ages of applicants.

3. Applications must be accompanied by detailed information about the private schools from officials of those schools.

4. If local boards fail to act on applications within 30 days, applicants may appeal directly to the state school superintendent.

5. If the local board makes an adverse decision on an application, the applicant must appeal to the local board within 10 days. The board must grant a hearing within 15 days, and has another 10 days to render a decision.

6. If the local board refuses reconsideration or decides adversely a second time, applicants may appeal to the state school superintendent.

7. Grants shall be paid to parents in two equal installments—by Feb. 10 and July 10.

8. Local school boards have considerable discretion in deciding whether private schools are "nonsectarian" and bona fide teaching institutions.

9. Deadline for applying for grants for next school year (1962-63) is June 1, 1962.

Atty. Gen. Eugene Cook said Georgia is "plowing new ground" with the regulations and may have to change them somewhat.

Atlanta girl asking tuition grant in suit

The Journal
News p. 33
Wed. 10-18-61

ATLANTA, Oct. 18 — (AP) — The Atlanta school board has been ordered to appear in Fulton Superior Court Oct. 30 to answer a suit seeking a tuition grant for a sixth grade girl.

The suit was filed yesterday by the girl's father, A. T. Aikens. The girl, Carla Aikens, attends a private school.

Aikens said he first sought a tuition grant last February but was turned down.

Such private school tution grants were authorized in legislation adopted last Winter. The law makes no mention of race, but it was one of several measures designed to minimize desegregation and maintain freedom of association.

Several requests for grants have been made throughout the state, but none has been paid. School officials say they lack necessary funds.

Tuition Requests Pour In to Schools

The Atlanta Constitution P.3
Wed. 10-25-61

The number of private school tuition grant requests has surged from a trickle to a flood since Gov. Ernest Vandiver released state funds for the program last week.

Assistant State School Supt. Allen Smith said Tuesday that inquiries about the grants have been coming in to the state office "one right after the other." Callers are being referred to local boards.

Paul West, superintendent of the Fulton County system, said his office has received so many requests that answering them is putting his office behind in other work.

Atlanta, Ga.

Atlanta and DeKalb school officials also reported an upsurge of interest in the grants.

So far, however, the machinery for issuing the grants has not been put into operation.

Letters of application are being kept on file, and persons telephoning about the grants are being advised to make requests in writing so that application blanks may be mailed to them when available.

The Fulton system apparently has had the heaviest volume of requests in the past few days. West reported receiving a total of 66 letters through Tuesday afternoon. Telephone calls also have been heavy, he said.

The Atlanta superintendent's office reported that as many as 30 additional letters of request had been received in the past week, as well as numerous telephone calls. Five letters were received on Tuesday alone.

The DeKalb superintendent's office said it had received "several inquiries."

In all, the number of requests in the Atlanta area appear approximately to have doubled since Vandiver's announcement last week.

West said he expected metropolitan systems to bear the brunt of the requests because of the concentration of private schools here.

In its first year of operation, at least, the grant program will benefit mostly students already in private schools.

Regulations announced last week by State School Supt. Claude Purcell require applicants to present proof of acceptance to a private, nonsectarian school. Applications for 1961-62 grants must be received by Jan. 1.

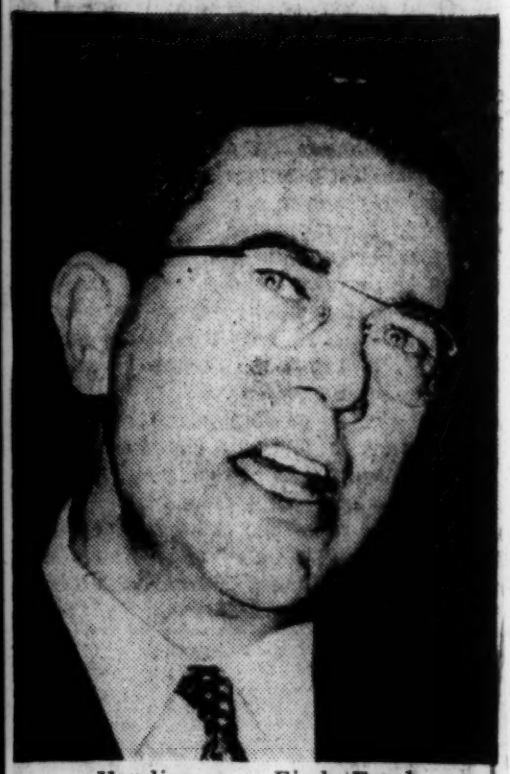
None of the Atlanta area school boards has taken official action on the regulations promulgated by the state last week.

Georgia Will Pay Private Tuition

Georgia, back when the Legislature of our neighbor state thought there might be some way yet of forestalling a federal court integration order, put a private tuition grant program in the books.

But for a long time, there had been some doubt about where the money was coming from to pay parents tuition sums for children or young men and women in private schools.

After passage of months, Georgia Gov. Ernest Vandiver has now come up with some money for private tuition grants, releasing $1,000,000 in state surplus funds. (The amount is available



Vandiver . . . Finds Funds

because of an unexpected increase in local payments for minimum school programs.)

Payment applications now are being accepted. Apparently, however, Georgia youth already attending private schools will be the only early recipients. That many others will receive such sums prior to the school year beginning in the Fall of '62 seems unlikely. No tuition grants will be paid until private schools have approved entrance applications of individuals.

Applications for the next Fall term must be in state hands on such basis prior to June 1, 1962.

Local boards have approving power, with the state superintendent as an appeal source. Thus far local authorities seem prepared—including those in Atlanta—to do everything required of them to implement the program. But Georgians all admit they are plowing new ground. How the program will work out remains to be seen. In Virginia some disgruntlement reportedly has been apparent because people who would send their youngsters to private schools in any event were drawing state funds, representing a kind of drain. The over-all Virginia program has cost about $2.5 million for private school grants.

Governor Again Raps School Aid

The Atlanta Constitution
Atlanta Ga.

By REG MURPHY
Constitution Political Editor

Gov. Ernest Vandiver praised President John Kennedy Tuesday night for using "good judgment" in disavowing civil rights legislation which would have required all Southern school districts to begin desegregation by 1963.

"I am glad that he has not endorsed them because it would be unwise and ill-advised," Vandiver said.

However, Vandiver said the disavowal of the bills does not remove his recent objections to the Kennedy administration's federal aid to education program.

BROTHER BOBBY

"If he would disavow his brother Bobby's suit in Prince Edward County, Va., I would be for federal aid," Vandiver said.

The governor made the comments after the White House broke a 36-hour silence and said civil rights legislation introduced Monday by Sen. Joseph S. Clark, D-Pa., and Rep. Emanuel Celler, D-N.Y., "are not administration-backed bills."

Earlier Tuesday in a press conference, Vandiver said he extracted a pledge from Kennedy last September "that federal troops would never be sent against the people of Georgia" to enforce civil rights provisions.

TROOPS INDICATED

Vandiver declared, "I would consider sending troops into Georgia a violation of his pledge. . . . You can't enforce this (Clark-Celler school legislation) without force and troops."

"It would be a ridiculous and silly statute . . . utterly incapable of enforcement, ill-timed, ill-advised," Vandiver said.

But Vandiver's prediction that federal aid to education legislation is "doomed" was predicated on Attorney General Robert Kennedy's move last week to force Prince Edward County to reopen its schools.

The governor said, "Congress, on two separate occasions, refused to enact laws that would give the attorney general the right to do what he did in Virginia. If the Congress would turn the authority down, I don't see where there is legal authority to do it."

He also disclosed for the first time the commitment he got from Kennedy last September before agreeing to support the Democratic Presidential nominee. Shortly after returning from Washington, Vandiver came out for the Kennedy-Johnson ticket.

RAISES SUSPICION

"Before I agreed to support Mr. Kennedy in Washington last summer, I secured a pledge and a promise that federal troops would never be sent against the people of Georgia," the governor said.

He added, however, that "Mr. Robert Kennedy's action in Virginia raises suspicion in the South about what would be done" to enforce civil rights actions.

Recently, a supporter of the education aid package that would give the state almost $700 per teacher for raises, Vandiver edged back from that position after the actions of recent weeks.

GEER SPEAKS OUT

Vandiver, out of the capital when news of the Clark-Celler bills broke, joined virtually every other state politician in attacking them.

His executive secretary, Peter Zack Geer, also criticized the bills—but not Kennedy.

Geer said Clark and Cellar need to understand that "respect for law and lawful processes is ingrained in every American. But arbitrary, illegal and unconstitutional federal force sought to be applied to local school systems can produce only revulsion, disorder and chaos."

He added, "Such unwise and intemperate action will meet a stone wall. It will tear the nation asunder, divide our people and weaken us when we need to be stronger.

"It is the most foolish proposal to be introduced in the Congress since the Force Acts of Reconstruction. The Congress would serve the country and the welfare of all our citizens to let it die quickly."

Prior to the introduction of the bills and the action in Prince Edward County, some seven Georgia congressmen were expected to vote for the education aid bills. Some reportedly had changed their minds and now planned to vote against it.

School Board Blueprints Integration of 2 Grades Here

The Atlanta Constitution
Atlanta Ga.

By HERMAN HANCOCK

Desegregation procedures for Atlanta's schools were spelled out in a 14-point program of administrative regulations adopted unanimously Monday by the Atlanta Board of Education.

The procedures deal with the 11th and 12th grades, ordered desegregated last year by U.S. District Court Judge Frank Hooper.

The new action supplements a five-page resolution the board passed Nov. 30, 1959, and amended at meetings Jan. 4 and 18, 1960, to comply with Judge Hooper's order.

The Monday action sets up the plan by which applicants can file between May 1 and May 15, the time designated by Judge Hooper for transfer applications.

Dr. Rufus Clement, only Negro member of the board, at first asked that portions of the resolution dealing with appeals from decisions and applications for transfer be added to the list of procedures adopted by the board.

When Dr. John W. Letson, school superintendent, pointed out inclusion of these would make the administrative program bulky and that appeal forms would be provided if and when needed, Clement did not press his request.

The administrative regulations provide:

That the school superintendent and his staff administer admissions and school assignment of pupils subject to review by the board of education.

Pupils will continue in schools to which they were previously assigned except where transfers are specifically authorized.

Parents objecting to an original assignment or transfer may appeal formally to the superintendent on a form provided or informally by telephone, letter or otherwise to area superintendents or other school administrators.

Forms for transfers to other schools will be on file in the superintendent's office and will be issued to applicants or his parent or guardian.

When completed and notarized, the application for transfer shall be delivered to the principal of the school of original assignment.

PUPIL DATA REQUIRED

The principal shall send the application to the area superintendent in whose area the applicant requests assignment, along with a complete data sheet of background information about the applicant.

The area superintendent then will interview the student and his parents, and shall report characteristics of the school to which the transfer is sought. This will include the number of pupils and other factors.

After consulting with Dr. Warren G. Findley, assistant school superintendent for pupil personnel services, the area superintendent will arrange a time and place for a series of tests. The applicant is to be notified of the time of the tests which shall include standardized achievement tests, standard scholastic aptitude tests and a personality adjustment test.

Test results, along with an interpretation of the scores, will be forwarded to the area superintendent.

The area superintendent then shall assemble the file on each student requesting a transfer and transmit it to Dr. Rual W. Stephens, deputy superintendent.

Dr. Stephens shall convene a student transfer reviewing committee to study the request for each transfer. It shall include Dr. Stephens, one or more area superintendents, Dr. Findley or Dr. Gilbert R. Gredler, director of psychological services, Roy W. Davis, assistant superintendent for instructional services, or H. Mark Huie, director for instructional services. From the reviewing committee, the recommendations will be passed on to Dr. Letson.

The addition which Dr. Clement sought would spell out the method of appealing from Dr. Letson's final action. When Dr. Letson said he thought the matter should be approached by taking one step at a time, Clement withdrew any pressure for immediate action.

Board Approves School Transfer Procedure For Integration In Atlanta

Integration Plans For 11th, 12th Grades Told

Assignment and transfer procedure for the integration of Atlanta schools was approved by the Atlanta Board of Education, Monday in compliance with a decree of the U.S. District Court.

The board meeting drew only a sparse turnout as the plan for the integration of the 11th and 12th grades next September was explained by Dr. John W. Letson, superintendent of school.

L. J. O'Callahan, president of the board, presided at the meeting, and there was no public questioning of the plan which was submitted by Dr. Letson.

Dr. Rufus E. Clement questioned Dr. Letson at length about appeal procedure, relating to applications for transfer that were denied. Dr. Letson agreed and Mr. O'Callahan agreed that appeal forms were premature, but nevertheless urged the board superintendent to prepare such forms, while awaiting the outcome of transfer tests and subsequent administrative actions.

Under the assignment and transfer plan pupils desiring to change schools must obtain an application for transfer from the school of original assignment, upon completion of the form the school principal must transmit it to the area superintendent in whose area the applicant requests assignment along with a complete data sheet of background informaiton about the applicant.

Upon receipt of the completed application form and a completed data sheet, the area superintendent shall schedule an interview with the student and his parents.

The area superintendent, in turn shall cause to be completed a report of the characteristics of the school to which transfer is requested, and after consultation with the assistant principal for pupil placement, the area superintendent shall arrange for a series of tests to be administered by the office of assistant superintendent for pupil personnel services.

Applicants for transfer, as a result of completion of these requirements, will be informed by telephone or letter or both of scheduled tests.

The complete text of rules for assignment and transfer are as follows:

ADMINISTRATIVE REGULATIONS

The Superintendent and his staff shall administer policies relating to the admission and school assignment of pupils, subject to review by and appeal to the Board.

1. Except as transfers are specifically authroized, pupils shall continue in schools to which previously assigned.

2. Parents who object to orignal assignment or transfer decisions may present a formal or informal appeal. A formal appeal shall be addressed to the Superintendent on the form prescribed by the Board and shall be in accordance with the resolution adopted by the Board on November 30, 1959, and amended January 4 and January 18, 1960. An informal appeal may be presented by telephone, letter or by otherwise communicating with Area Superintendents or other school administrators. The Board will hear and judge appeals only when presented on forms and under conditions prescribed by the Board.

3. Forms for application for transfer from a school of original assignmnet shall be made available at the Superintendent's office for issuance to the applicant or his parent or legal guardian.

4. Upon completion of the form, including notarization, the applicant, or the applicant's parents or guardian or both, shall deliver the application to the principal of the school of original assignment.

5. The principal shall transmit the application to the Area Superintendent in whose Area the applicant requests assignment. A completed data sheet of background information about the applicant shall be attached to the completed application form.

6. Upon receipt of the completed application form and a completed data sheet, the Area Superintendent shall schedule an interview with the student and his parents.

7. The Area Superintendent shall cause to be completed a report of the characteristics of the school to which transfer is requested.

8. After consultation with the Assistant Superintendent for Pupil Personnel Services, the Area Superintendent shall arrange the time and place of a series of tests to be administered by the office of the Assistant Superintendent for Pupil Personnel Services. The applicant for transfer is to be informed by telephone or letter or both of the scheduled tests.

9. The series of tests administered by the office of the Assistant Superintendent for Pupil Personnel Services shall include standardized achievement tests, standardized scholastic aptitude tests, and a personality adjustment tset.

10. The Assistant Superintendent for Pupil Personnel Services shall record the results of the tests on an appropriate background sheet, along with a professional interpretation of the scores, and transmit to the Area Superintendent concerned.

11. The Area Superintendent shall assemble a file for each student requesting transfer and transmit to the Deputy Superintendent. The file shall contain (a) the original application for transfer, (b) the principal's report, (c) the report about the characteristics of the requested school, and (d) the report of the Assistant Superintendent for Pupil Personnel Services or a member of his division showing results of the tests.

13. A Student Transfer Reviewing Committee shall be convened by the Deputy Superintendent to study the completed folder of each student requesting transfer. The Reviewing Committee shall include the Deputy Superintendent, one or more Area Superintendents, the Assistant Superintendent of Pupil Personnel Services (or Director of Psychological Services), the Assistant Superintendent for Instructional Services (or Director of Instruction), and such other personnel as may be considered desirable. Interviews with the student may be scheduled at the discretion of the Deputy Superintendent.

14. Recommendations of the Student Transfer Reviewing Committee shall be submitted to the Superintendent upon completion of the reviewing ssesion.

Local Option School Plan Spreads Through South

The Atlanta Constitution Atlanta, Ga. Jan 2-12 '61 P 35

By AL KUETTNER
By United Press International

In the months following the 1954 Supreme Court school decision, North Carolina Gov. Luther H. Hodges—now secretary of commerce—picked a select advisory committee on education to devise a school "plan" for that state.

The group was headed by a rural county legislator, Sen. Thomas H. Pearsall. After months of study, the committee recommended to the legislature and won passage of what quickly became known as the "Pearsall Plan."

This was the first of the sweeping school plans to be adopted in the South and it has subsequently become the basic fabric of school laws in many Dixie states.

* * *

VIRGINIA ACTUALLY came up with the first program designed to comply with the Supreme Court school decision without letting down the floodgates to total integration. But the Virginia plan, brought in by a commission headed by Sen. Garland Gray, was turned down cold by the General Assembly.

Virginia later returned to almost the same program in the face of federal court orders that

Editor's Note: The Louisiana Legislature has been ordered into special session Wednesday to consider the local option approach to school desegregation. This long, last-ditch strategy for a South that was confronted with the Supreme Court's 1954 school desegregation decision began in 1955 in Virginia and North Carolina. It has spread through a number of other Dixie states. Here is a background dispatch on the subject.

threatened to close every public school in the state unless desegregation was permitted.

The Pearsall plan, largely identical to the Gray report, provided:

"Authority for the general assembly to provide from public funds financial grants to be paid toward the education of any child assigned against the wishes of his parents to a school in which the races are mixed—such grants to be available for education only in non-parochial schools and only when such child cannot be conveniently assigned to a non-mixed public school.

"Authority for any local unit created pursuant to law and under conditions to be prescribed by the general assembly, to suspend by majority vote the operation of the public schools in that unit. Notwithstanding provisions for public schools."

* * *

UNDER THE Pearsall plan, North Carolina admitted its first Negroes to public white schools.

There have been variations—notably the stairstep idea of starting desegregation a grade at a time and the "freedom of choice" tag in Virginia—but the states have turned basically to the Pearsall-Gray idea of local option and private grants.

To school and legal authorities, the overriding significance of the two plans is that they were upheld on their face by the federal courts, whereas other schemes to ward off integration were being turned down almost routinely.

When Georgia was faced with court orders to desegregate Atlanta schools, representatives of a legislature-appointed school study committee visited both North Carolina and Virginia to find out just how the parent plans were working out.

* * *

THE ATLANTA SCHOOL board also relied heavily on Pearsall and Gray in drawing up its plan, which was approved by a federal district court, for desegregating schools.

This year the Georgia legislature followed almost in Virginia's foosteps in its manner of abandoning massive resistance to integration. In 10 historic days the legislature swept aside segregation laws and adopted a program of local option, grants for private education and "freedom of choice."

Louisiana goes into its fifth special legislative session in an effort to draft new school racial laws to replace strict segregation statutes. The basic new proposal is local option. Under such a law, New Orleans—whose schools are now desegregated under federal court orders—could decide for itself whether to keep schools open or close them.

* * *

OTHER desegregation "plans" include:

Louisville—The city was redistricted in 1956 without regard to race and students were assigned to the nearest school.

Nashville—First to adopt a "stairstep" plan. It began in the first grade in 1957 and is now up to the fourth grade.

Washington, D.C. — Separate school systems for whites and Negroes abandoned after 1954 decision and students began attending nearest schools.

San Antonio, Tex.—In 1955 the first, second, seventh and 10th grades were desegregated.

Legislature Voids Georgia's School Segregation Laws

B'ham Post-Herald B'ham, Ala. Sat 1-28-61

BY FRANK MULLEN

ATLANTA, Jan. 27 (AP)—The state Legislature, in a historic session, today abandoned Georgia's rigid school segregation laws.

Four separate laws replaced a mass of earlier statutes that kept the races in separate schools. Sponsors pictured them as offering the most feasible method of holding integration to a minimum.

One is a local option bill allowing voters in a school district to close public schools by referendum to avoid integration. Schools could be re-opened in a later referendum if voters decide they prefer public schools to private. But a vote on re-opening cannot be forced in the same year the schools are closed unless the local school board agrees.

Wipes Out Segregation

A second authorizes tuition grants for pupils who do not wish to attend integrated schools. It wipes out compulsory segregation of white and Negro pupils in public schools.

Another revises procedures for appeals to the State Board of Education and removes certain supervisory authority now held by the board, to forestall any statewide integration orders from Federal courts.

The fourth, a proposed constitutional amendment to be voted on next year in a general election, would guarantee freedom of association—that is—children of different races cannot be forced to attend the same school. The proposal also re-affirms the state's power to tax for education.

In final arguments today, Sen. Carl Sanders of Augusta told the Senate the new statutes are similar to laws enacted in North Carolina and Virginia. He said the laws in those states have not been challenged by Federal courts.

Lets The People Decide

Sanders, in arguing for Senate passage of the bill, said:

"This bill will put in the hands of local people the right to suspend schools. What we are trying to do is to preserve segregation within every conceivable framework of law. I think both the Negroes and white people desire that."

The four statutes, Sanders said, give the best method of control and will permit the state to maintain public schools one way or another. The bills will be transmitted to Gov. Ernest Vandiver on Monday.

Vandiver proposed the four bills as the best possible way to maintain maximum segregation and avoid dictation from Federal courts.

Georgia Votes Local Control Of Integration

The Evening Star Washington, D.C. Sat 1-28-61

ATLANTA, Ga., Jan. 28 (AP)—The Georgia Legislature moved swiftly yesterday to replace the State's rigid school segregation laws with a local control plan designed to hold integration to a minimum.

Action was completed—except for correction of a typographical error on three bills and a proposed constitutional amendment prepared by Gov. Ernest Vandiver. The Governor is expected to receive the proposals for signature the first of the week.

The measures represent a shift from the school closing philosophy of recent years and place emphasis instead on guaranteeing freedom of association.

Follows Court Order

The Legislature acted shortly after two Negroes were admitted for the first time to the University of Georgia on Federal Court order. A Federal Court also has directed the Atlanta public schools start desegregation by September.

At Memphis, Tenn., John McFerren, 36-year-old unofficial "mayor of Tent City," was asked to resign as chairman of the Fayette County Civic and Welfare League but he said the action was illegal.

Mr. McFerren played an active part in the Negro voter registration drive that resulted in a Justice Department suit charging white leaders in nearby Fayette County with economic conspiracy against Negro voters.

The request that Mr. McFerren resign was made by Scott Franklin, president of the league. But Mr. McFerren said only the board of directors can name a new chairman.

Shelter for Negroes

"Tent City" was envisioned as a shelter for 300 Negro families that the league said faced eviction from their sharecropper homes because they registered to vote.

However, Federal court orders barring immediate evictions took the pressure off. And "Tent City" remains a straggling line of 13 family-sized tents on one Negro farm near Somerville, with 5 at another.

In Brownsville, Tenn, Philip H. Savage of Baltimore, a field secretary of the National Association for the Advancement of Colored People, was convicted of threatening a breach of the peace and fined $50. He was arrested while interviewing Negroes lined up to register as voters. An appeal was planned.

Georgia Modifies Stand On School Desegregation

The Louisville Defender
Louisville, Ky.

Atlanta, Ga. — The Georgia Legislature has made a massive withdrawal from its policy of total segregation this week repealing several laws passed by the body in 1956, designed to prevent desegregation of schools.

Substituted were laws allowing grant-in-aids to pupils who wish to attend private schols, repealed a state pupil placement law; and a bill to provide local option in school districts faced with integration.

The repeal and new bills were included in package legislation submitted to the legislature by Governor S. Ernest Vandiver. The Governor was quoted as saying the measures were the only course left for maintaining as much segregation as is legally possible and still preserve public education.

The local option measure was well received in Atlanta and other communities of the state faced with imminent integration. Atlanta is under Federal Court order to integrate public schools this September. The local option bill will provide at least token integration in many communities.

Local Option

Under the 1956 appropriations act, Georgia schools faced with integration, would lose state funds for operations. This was one of the measures repealed by the legislature.

The pupil placement plan gave the State Board of Education power to set placement regulations. This authority is now vested in each school district. Students will also have the opportunity to appeal decisions of the local boards.

The local option bill also gives the school districts involved the authority to call school closings elections at the request of 15 per cent of the registered voters.

Louisville, Ky.

The grant-in-aid bill could also make it possible for Negro children to receive funds to attend private schools. Under a similar local option plan in Virginia, Negro students, as the whites, have received funds to attend schools out of their districts.

The bill states that "every" child between the ages of 6-19 s entitle to a "grant" of state and local funds to be expended for the purpose of attending a nonsectarian private school.

The local option bill is specifically designed to leave the decision of integration to each community. Closing of any school would suspend compulsory attendance laws. The local board will continue to get state funds and teachers paid.

New School Tactic Taken By Georgia

The Montgomery Advertiser
Montgomery, Ala.

ATLANTA (AP)—Georgia abandoned Tuesday its policy of massive segregation in public education.

Wed. 2-1-61

Gov. Ernest Vandiver signed into law three bills designed to keep schools open with a minimum of integration and a proposed constitutional amendment for freedom from compulsory association. A statewide vote on the amendment will come in November 1962.

The governor recommended and the Legislature passed the schools package after federal court orders integrated the University of Georgia. The primary objective is to provide local school control and tuition grants for those who balk at integration.

The new state policy will work as a freedom of choice program, unless overturned by further federal court decrees, in this manner:

Local school districts could vote to close their public schools when integration threatened. Subsequently, they could vote for reopening if they had decided that open schools with some integration were better than none. Tuition grants are provided for those who wish to take their children out of public schools.

Open Schools Signed as Law

The Atlanta Constitution
Atlanta, Ga. 1-4-61 P. 1

Gov. Vandiver signed into law Tuesday the open-schools package that seems certain to become a landmark in Georgia history.

As the governor scratched "S. Ernest Vandiver" on the three bills and one constitutional amendment, he commented, "These are the four most important bills to be signed in this century" in Georgia.

Wed. 2-1-61

What, the governor was asked, did his action demonstrate to the rest of the country?

P. 1

HAILS LEADERS

"The fact that Georgia has made this move shows the nation we are responsible people. We are not law defiers. We intend to protect our children. We intend to try to maintain our Southern traditions," he replied.

Vandiver signed the bills as a group of legislative leaders watched. They included Lt. Gov. Garland Byrd, House Speaker George L. Smith II, House Floor Leader Frank Twitty and Senate President Pro-tem Carl Sanders.

"The plaudits and the tributes of the people of Georgia are due these men," Vandiver said, indicating the legislative leaders.

LAUDS LEGISLATORS

The governor said he did not anticipate 30 days ago that such measures would be introduced in the Legislature.

That, however, was before federal courts ordered the University of Georgia to drop its segregation barriers and allow two Negroes to attend.

Vandiver praised all the legislators who voted for the measures, and that included most of the lawmakers. "Georgia can well be proud of the men who passed this program," he said.

REFERENDUM IN 1962.

The constitutional amendment seeks to guarantee "freedom of association" among school children. It still must be approved by the voters in the November, 1962, general election.

The three other measures became law as quickly as they were signed.

They provide for a tuition grant program for children whose parents will not let them attend integrated schools; a local option on school closing and reopening in integration crises, and revised procedures on appeals from local boards on pupil placement cases.

VANDIVER SIGNS SCHOOL BILLS

The Tampa
Georgia Eases Massive Segregation Policy
Tribune

ATLANTA (AP)—Georgia has abandoned its policy of massive segregation in public education.

Gov. Ernest Vandiver signed into law three bills designed to keep schools open with a minimum of integration and a proposed constitutional amendment for freedom from compulsory association. A statewide vote on the amendment will come in November 1962.

New Orleans, La.

The governor recommended and the legislature passed the schools package after federal court orders integrated the University of Georgia. The primary objective is to provide local school control and tuition grants for those who balk at integration.

Tuesday, 2-2-61

Describing the measures as the most important signed in a century, Vandiver said:

"They take our schools out of the hands of the federal courts and put them in the hands of local people."

P. 2

He commented that the legislation "shows the rest of the country that the people of Georgia are responsible people."

The new state policy will work as a freedom of choice program, unless overturned by further federal court decrees, in this manner:

Local school districts could vote to close their public schools when integration threatened. Subsequently, they could vote for reopening if they had decided that opens schools with some integration were better than none. Tuition grants are provided for those who wish to take their children out of public schools.

14d(1) 1961 GEORGIA SEPARATE SCHOOLS. INC.

City Flooded By Racist Handouts

Northeast Atlanta was flooded Monday with racist literature denouncing school desegregation and threatening to seek a referendum on the question of closing Atlanta schools.

The material, consisting of seven different pieces, was distributed by hand in envelopes labeled "Will Your Child Attend School With Negroes?"

The various printed materials solicited subscriptions to a "Separate Schools, Inc.," bulletin, sought names of parents interested in forming private schools and accused Atlanta School Supt. John Letson of "brainwashing" the city.

14d(1)

GEORGIA

ATLANTA INTEGRATION
DEPARTMENT OF JUSTICE

JFK aides help Atlanta integrate

BURKE MARSHALL, chief of the civil rights division, Department of Justice, and **John Siegenthaler**, administrative aide to President Kennedy, were in Atlanta last week conferring with officials about plans to integrate schools there this fall. City officials expressed confidence that they can handle the situation.

14d(1) 1961

GEORGIA

ATLANTA
GOVERNOR VANDIVER- NO GEORGIA TROOPS
TO AID MIXING

Georgia troops not to aid mixing

The Birmingham News

ATLANTA, July 11—(AP)—Gov. Ernest Vandiver said yesterday that he does not plan to use state forces to assist in the integration of any school in Georgia. But, he emphasized again, that as governor and preservator of the peace he will use the National Guard or state troopers if they are needed to protect the lives of school children and teachers.

Vandiver, at his first news conference in five weeks, went over his remarks twice with newsmen, because he said he wanted to make his position clear. Four Atlanta high schools will be desegregated next month.

News. 7-11-61

The governor said neither the federal nor state constitutions requires a governor to help enforce a federal court order for desegregation. But, he added, the State Constitution does charge governors with maintaining the peace.

P 1 3

"Not one state patrolman, not one National Guardsman will ever be used to integrate one school, and I want to make that clear," Vandiver said.

14d(1) 1961 GEORGIA DEC.
TUITION GRANTS

SIZE OF STIPEND ADDS UNCERTAINTY

Judge Rules Tuition Grants Be Retroactive Till July 1

P-22 The Atlanta Constitution
Dec-12-61

By BRUCE GALPHIN

Attempts to figure the size of the stipend Atlanta must pay under Georgia's tuition grant law added up to further uncertainty after a court hearing Monday.

But Judge Durwood T. Pye did clarify two questions which had been hanging fire.

He amended an earlier ruling and held that payment should be retroactive to July 1 rather than Sept. 1, as he had previously ordered.

And he said "apparently" that if the school board chooses to make any distinction between children of elementary and high school standing, it should be in the ratio of $6 for a high school grant for each $5 elementary.

CAN VARY GRANTS

Under the 1961 tuition grant law, the school board has the discretion to set different rates for high school and elementary grants.

Judge Pye said that since Minimum Foundation laws allow one teacher for each 25 high school pupils and one for each 30 elementary pupils, the tuition grant law also probably intends this same 6-5 ratio.

The judge called Monday's hearing to examine city and state school fiscal authorities in an effort to determine how much money is "available" to the school board this year.

KEY IN CALCULATION

That figure is an important part of the calculation of tuition grants: it is to be divided by the number of pupils in a system.

Those testifying included E. R. Holley, city school comptroller: Warren G. Post of the State Department of Education, and Oscar H. Joiner, director of the state department's division of administration and finance.

They offered a mass of different budget figures, which appeared at the end of the hearing to leave all sides little more enlightened than before.

But what it boiled down to was that between July 1 and Oct. 16, the Atlanta Board of Education had received or was due to receive $16,029,817.44 in funds covered by the tuition grant law.

Racial Inequities Cited

Small Teacher Forces Said Keeping 60,000 From School

Further existing inequities in the State's educational system have been cited by the Georgia Conference on Educational Opportunities, with a declaration that the system is responsible for 60,000 Negro children being out of school, through failure to hire enough visiting Negro instructors.

The conference, of which Jesse O. Thomas is chairman is apparently following up its released booklet showing the discrimination against Negro school children, teachers and in the provision of facilities which still exist in Georgia.

The conference released a statement that said in part:

"The most accurate estimate indicates that there are some 60,000 school age Negro children walking the streets every day. A considerable reduction in the number of students out of school daily would result from the employment of visiting teachers by thedifferent school districts in the state.

"If one half of these children were in daily attendance in the public school systems, it would be necessary to employ one thousand additional teachers in the Negro schools over the state."

The conference was organized in Atlanta on November 3, 1958. Immediately following organization conferences were set up with the chancellor of the university system, president of the board of education superintendent of public instructions for the state of Georgia, and the director of vocational education for the state.

The attention of these appropriate officials in the department of education was repeatedly called to certain gross inequities in the allocation of public funds in our dual education system.

Not only were the members of the conference given cordial and sympathetic hearing, but also a meeting of minds as to differentials imposed in the allocation of public funds.

The findings of a survey of 57 counties by research personnel employed by the conference, published under the title, "Georgia's Divided Education." Copies of this publication were sent to every member of the state legislature and every member of the state board of education.

Georgia Votes For Committee To Eye Integration

The state Senate voted Tuesday to create an education rights committee to investigate future integration incidents that may occur in public schools or institutions of the state University System.

The committee is instructed under the resolution to investigate not only any violence that might occur as a result of integration but also any favoritism shown integrated Negroes or removal of rights of persons who may oppose integration.

Lt. Gov. Garland Byrd pointed out that a House committee recently investigated campus rioting which followed the court - ordered admission of two Negroes at the University of Georgia.

The House committee investigated alleged favoritism shown by university authorities to the two Negroes and disciplinary action taken against white students in connection with the rioting.

Part of the debate concerned a clamp - down on free speech and right of assembly for white students in the wake of the rioting. Sen. Charlie Brown of Atlanta fought the bill on the Senate floor, saying the Legislators should have full confidence in University President O. C. Aderhold.

Sen. Dan Hart of Quitman, sponsor of the resolution, said similar situations might arise in the future on public school or state college campuses.

The resolution had 28 signatures when it was introduced. The final vote was 40-7.

Panel to Watch Mixed Schools

The Atlanta Constitution
Atlanta, Ga.

By BRUCE GALPHIN

The Senate voted 40-7 Tuesday to create an interim committee to investigate reports of special privileges to Negroes in integrated schools.

The panel, to be called the Educational Rights Committee, will consist of members elected by the Senate Education Committee from its membership.

It will have power to investigate almost any phase of desegregation in public schools and colleges including:

1. Any incident of partiality or favoritism shown to persons seeking to integrate an institution.

SPEECH, ASSEMBLY

2. Actions of officials or employes which might deprive the rights of free speech and peaceable assembly to those opposed to integration.

3. Actions by officials which might lead to violence or would hold the State of Georgia or the particular institution up to public ridicule.

(The resolution does not mention possible incitement by outsiders.)

The committee is empowered to report to the Senate, the attorney general and the solicitor general of the circuit involved.

CITIZEN'S RIGHT

The resolution authorizing the committee states that the Senate believes that no citizen "has a right to receive partiality or favoritism at the hands of any official or personnel of this state merely because the citizen asser. for himself . . . the right to special treatment under the laws of the United States."

University of Georgia officials were criticized in some quarters for clamping down on public assembly rights after riots broke out when two Negroes enrolled.

Sen. Dan Hart of Quitman, author of the resolution, denied it was proposed to rehash the university case.

LL SCHOOLS

"This applies to all schools," he declared. "We're interested in education, not disturbances."

Sen. Charlie Brown of Atlanta, speaking against the measure, urged the Senate not to "fan flames that already are dying down."

Brown argued that the Board of Regents and the State Board of Education had ample power to look after their own affairs.

Sen. Gaston V. Green of Rising Fawn replied that the Senate should have a source of immediate information in case of any disturbances connected with desegregation.

RECENT CASES

The resolution creating the study committee states that there have been recent cases (presumably at the university) in which freedom of speech and assembly "were curtailed and in some cases abrogated in deference to the persons responsible for this action."

It accuses persons seeking desegregation of trying to be "imaginary crusaders" while in reality seeking "to cause disturbance."

The resolution does not require House approval.

Georgia Operating 254 Schools with 100 Students or Less

The Atlanta Constitution
Atlanta, Ga.
3-31-61

By RICHARD ASHWORTH

Georgia had 254 elementary and high schools operating last year with average daily attendance of less than 100 students, a State Department of Education survey shows.

Statistics compiled by Paul Wills, director of statistical services, showed these included 124 white elementary schools and 32 Negro elementary schools and 51 white and 47 Negro high schools.

Of the 51 white high schools, five are not operating this year as high schools and eight are not accredited as high schools. Some were consolidated with other schools.

Of the 47 Negro high schools, all are operating this school year except one—Kestler in Early County. Twenty-four of these are not accredited this school year.

The State Board of Education has pointed out that operating costs of small schools often are higher because they have to hire additional teachers over those they are entitled to by virtue of their daily attendance.

And the board has said that no matter how good teachers are in a small school, they can't teach enough classes to give students well-rounded courses.

Problems of small schools will be examined Saturday in Summerville at a hearing which will take up recommendations of a study done for the Trion and Chattooga County board of education.

Inquiries sent to three high schools in that county—Lyerly, Summerville and Menlo—by the state department showed that in grades 9-12, Menlo had 104 students, Summerville had 452 and Lyerly had 74 pupils.

In 1960, Menlo had 20 graduates, Summerville had 74 and Lyerly had 13.

The study committee has recommended that two-story buildings at Lyerly and Summerville be abandoned for school use. It said the Menlo high school should be consolidated with the new Chattooga County high school.

The Lyerly elementary school should be abandoned and consideration should be given to transfering students from Gore Elementary school, the study committee said.

The committee said it was "recognizing the greater advantage that the children will have in attending a larger high school where advanced courses in science, math, modern foreign language, music, art, industrial art and business education will be offered."

Menlo has seven teachers for grades 8-12, Lyerly has five and Summerville has 22.

Editor Patterson Speaks on Schools

The Atlanta Constitution
Atlanta, Ga.

Some sort of legislation providing for federal aid to education has a better chance of passing through Congress this year than ever before, according to Eugene Patterson, editor of The Atlanta Constitution.

Mr. Patterson, who spoke Friday at a meeting of the Georgia Conference on Educational Opportunities, said that only three members of the Georgia congressional delegation seem adamantly opposed to any sort of federal educational aid.

* * *

HE IDENTIFIED them as Reps. James C. Davis, Iris Blitch and E. L. Forrester.

Representatives from every congressional district in Georgia attended the educational conference here to discuss ways of improving Negro elementary and secondary education.

Dr. Hilliard Bowen, area supervisor of Negro education in Atlanta, said that the number of students in double-section classes has become alarmingly high, particularly in Negro schools.

* * *

DR. BOWEN also said that the state's average daily attendance standard for alloting teachers is limiting in many instances. About 60,000 Negro pupils—out of a total of over 200,000—are absent from school every day in Georgia.

Thomas A. Carmichael, director of Negro education in Georgia, said it was up to teachers, public officials and interested citizens to get more Negro high schools accredited. He said currently 66 Negro high schools in Georgia are not accredited by either the state or by the Southern Association of Secondary Schools.

* * *

JACK P. NIX, state director of vocational education, said that the state is presently planning to spend $20 million for trade schools. This will provide 10 such schools for whites and 11 for Negroes.

The conference adopted a resolution Friday calling for the State Department of Education to build one of the trade schools with dormitory accommodations for Negro students from smaller communities where the Negro population is too small to justify the building of a trade school.

Jesse O. Thomas of Atlanta is president of the GCEO. The meeting was held at Warren Memorial Methodist Church.

Restriction On Tuition Plan Vetoed

The Atlanta Constitution
Atlanta, Ga.
3-31-61

Gov. Vandiver vetoed a bill Thursday which would have at least slowed down state tuition grants for Fulton County children attending private schools, and the bill's author agreed with the governor.

State Sen. Charlie Brown said "I think possibly the governor used good judgment in vetoing" his measure which would have required that two consecutive Fulton County grand juries approve the payments.

ASKED BY BOARD

Brown said he did not discuss the veto with Vandiver but did tel lsome friends, "I would not object if the governor vetoed it."

Brown said the Fulton delegation passed the bill during the last week of the session at the request of the Fulton County Board of Education, but he now felt it was "not in the best interest of all the people of the county."

Meanwhile, the governor said he is "strongly considering vetoing" the bill which would remove an age limit imposed on applicants for college admission.

FEARS INVALIDATION

The present law forbids anyone beginning college work after age 21 and bars anyone beginning graduate work above age 25. The bill passed by the last Legislature and awaiting the governor's decision would remove those limitations.

Vandiver said, "I am fearful that to sign S.B. 161 (the Fulton tuition bill) would make invalid the freedom of association school package which was passed by the Legislature."

Knocking down those laws "would mean that tuition grants would not be available anywhere in the state and would raise the serious possibility that the several statutes also repealed in the tuition grants law would thereby be restored," Vandiver said.

Such federal court action in holding the Brown bill unconstitutional would leave "our state in the same precarious and vulnerable position which we occupied before the 1961 legislative session" when the open schools package was passed—Vandiver said.

The Atlanta Constitution

Local school officials said they would be upset at the veto except for State School Superintendent Claude Purcell's promise to ask the governor to supply state funds to pay the tuition grants to Fulton County parents who already are sending their children to private schools.

Purcell said there is a contingent $5 million appropriation which the governor can use to finance the school grants.

The Fulton system has been warned that there will be numerous requests for the grants after the law becomes effective July 1, but thus far only three written applications for grants have been filed with the county office, Supt. Paul West said.

Vandiver's 'Open Schools' Measure Allows For Closing

The Montgomery Advertiser
Montgomery, Ala.

ATLANTA (UPI) — Gov. Ernest Vandiver's new school measures, to be debated in the House and Senate next week, set up machinery for diverting state education funds into private schooling.

Jun 1-22-61

The measures were given many other names by supporters and opponents after the governor unveiled them in a General Assembly address but a look into the proposals indicate most of the names were wrong.

Called an "open schools" package, the measures actually set up machinery for closing them, under certain circumstances.

Called "segregation" measures they are silent on the question of race. However, Vandiver called them new defenses of segregation. Observers consider them to encompass at least token integration.

The foundation of the proposals is a constitutional amendment resolutions that cannot, in the opinion of legal observers, possibly be voted on by the people until the general election of 1966.

AMENDMENT

Te proposed amendment is the shortest of all the legislation. It says: "Freedom of association at all levels of education shall be preserved inviolate, and the General Assembly shall by taxation provide an adequate education for the citizens of Georgia."

A bill to implement this proposal, expected to be enacted in advance and to operate for a time without benefit of the amendment, provides for closing, and reopening, of schools by local elections.

A petition of 15 per cent of the voters would set up either election.

Teachers and other employes would continue to be paid for the duration of their contracts. State funds would continue. But compulsory attendance laws ould cease to operate.

A second bill provides for payment of grants - in - aid by local school authorities for te private education of children "in lieu" of their attendance in public schools.

The amount any one child receives would be a pro-rata share of the total amount of state and local funds available for education. Local systems may pro-rate the money so as to provide more for high school education than for elementary.

The private schooling is limited to non-sectarian institutions.

The measure contains criminal provisions, making it a misdemeanor for anyone to misuse the funds or otherwise fail to carry out the provisions of the act.

Another section of the bill gives county boards of education virtual ownership of all school property with the right to sell buildings and the right to receive donations for schools.

The third bill changes the machinery of handling controversies concerning school administration, giving county boards of education autonomy but providing for appeals to state boards.

Administration leaders say this measure is designed to provide for "pupil placement" at the local level. It is admittedly intended to keep integration at a minimum, although the bill itself is silent on the race question.

Tuition Bill Ruled Out Until July 1

The Atlanta Constitution
Atlanta, Ga.

By BRUCE GALPHIN

Georgia's new tuition grant law will not become effective until July 1, Atty. Gen. Eugene Cook said Monday.

Sues 2-7-61

Cook's unofficial ruling apparently removes any immediate pressure on school boards which are receiving requests for grants to children already in private schools.

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The attorney general said he did not think the tuition law could be effective until funds are supplied by the new appropriations act which goes into effect July 1.

CITES ALTERNATIVE

The only way the grants-in-aid program could be put into operation now, Cook said, would be for Gov. Vandiver to make funds available from the surplus.

State Auditor B. E. Thrasher Jr. said a contingent section of the current appropriations act allows the governor to allocate as much as $5 million for grants. But Vandiver has not set aside any money for that use, Thrasher added.

Meanwhile Monday, State School Superintendent Claude Purcell said he thought local boards of education had authority under the new law to set some standards for schools where grants are to be used.

A LOCAL MATTER

The State Board of Education will not attempt to set any statewide standards, however, Purcell added.

The superintendent said local systems will be allocated more money if students living within their systems and already attending private schools apply for tuition grants.

The local system would still have to supply its own share (the amount above the state-supplied figure) of each grant, Purcell said.

Both Atlanta School Superintendent John Letson and Fulton Superintendent Paul West have asserted that grant-in-aid program will place severe strains on their budgets.

'TERRIBLE DRAIN'

In a letter to a Sandy Springs father Monday, West declared:

"I am gravely concerned about the question whether the Fulton County School System, or any local system in the State of Georgia, can afford and finance the terrible drain on its funds which will come about if applications of the kind which you have made are presented in large numbers. . . .

"I sincerely feel that the new law must be in some way amended in order to forestall possible bankruptcy of the public school system of Georgia."

The letter was sent to Richard E. Blanchard of 1511 South Johnson Ferry Rd., NE, who had requested a grant for his son, Richard E. Blanchard Jr., a student of the high school division of Georgia Military College.

The Fulton County Board of Education will discuss the request at a meeting at 2 p.m. Tuesday.

The Atlanta Board was considering a similar request by attorney Moreton Rolleston at its Monday night meeting.

The State Department of Education meanwhile reported that a preliminary survey shows 16,000 children in Georgia private schools on the primary and secondary level. About 10 per cent are Negro.

The totals are not broken down between sectarian and non-sectarian schools. Grants under the new law are available only for use in non-sectarian schools.

1,000 Businessmen Plead for Schools

The Atlanta Constitution
Atlanta, Ga. P. 1

By MARVIN WALL

Nearly 1,000 Georgia businessmen called on Gov. Ernest Vandiver and legislators Sunday to keep the state's schools open.

A five - paragraph resolution, signed by some of the biggest names in the state's business community, said "disruption of our public school system would have a calamitous effect on the economic climate of Georgia."

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The businessmen registered their support of "such legislation in the 1961 General Assembly as may be necessary to effect the uninterrupted operation" of Georgia's public schools.

The businessmen said "immediate legislative action is urgently needed." They voiced confidence that the governor and legislators will act "to avoid the tragedy and unrest which several of our sister states have experienced."

The resolution's signers also expressed confidence that the legislation adopted will provide maximum "freedom of choice."

As of Sunday, the resolution had 960 signatures, in addition to its 26 sponsors. Among the signers is John W. Dent of Cartersville, president of the Georgia Chamber of Commerce. One of the sponsors is Ivan Allen Jr., president of the Atlanta Chamber of Commerce.

A letter transmitting the resolution to Vandiver and the Legislature is signed by H. E. Benson of Benson's, Inc., in Athens, one of the resolution's sponsors. Benson said additional signatures will be forwarded to the governor and legislators as they are received.

The resolution says:

"Whereas, we believe that, next to our children, the Georgia business community has most at stake in the present school crisis; and,

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"Whereas, we believe that disruption of our public school system would have a calamitous effect on the economic climate of Georgia and,

Atlanta, Ga.

WARNS OF TRAGEDY

"Whereas, we further believe that immediate legislative action is urgently needed to insure the orderly progress of our economy and the continued education of Georgia's youth in an atmosphere of calm and stability; and,

"Whereas, we have confidence in the governor and the members of the 1961 General Assembly to avoid the tragedy and unrest which several of our sister states have experienced;

"Now, therefore, be it resolved that we whose names appear hereon do support the enactment of such legislation in the 1961 General Assembly as may be necessary to effect the uninterrupted operation of the public schools of Georgia. We express our confidence that such legislation will be so designed that each child and parent shall be given as much freedom of choice as is possible under the circumstances."

OTHER SPONSORS

In addition to Allen and Benson, sponsors of the resolution are John P. Baum of Milledgeville, James A. Beavers Jr. of Newnan, Frank E. Bone of Milledgeville, G. H. Edwards of Cedartown, William L. Goodloe of Valdosta, Hansell Hillyer of Savannah, James Hull Sr. of Augusta, Jesse D. Jewell of Gainesville, Alfred W. Jones of Sea Island, Jack M. Jones of Savannah, W. A. Knox of Thomson, M. W. Luckey of Harlem, J. P. Mason of Griffin, Morgan McNeel of Marietta, Thomas B. McNeely of Toccoa, G. Everett Millican of Atlanta, T. Mullen of Cedartown, Lawson Neel of Thomasville, P. F. O'Brien of Atlanta, William P. Simmons of Macon, A. J. Strickland Jr. of Valdosta, Ray L. Trogdon of Toccoa, W. C. Vereen Jr. of Moultrie, and W. Quealy Walker of Brunswick.

The resolution originated with Benson and a group of his Athens friends, Benson said. About 50 businessmen were contacted at first, he explained, and 26 agreed to sponsor the resolution.

Benson said a copy of the resolution already has been sent to Vandiver and copies will be placed on the desks of legislators Monday.

Tuition Guards Are Written Into New School Bill

Adequate Reason for Pay Needed

By REG MURPHY
Constitution Political Editor

One of the bills in Gov. Vandiver's open schools package was being rewritten Sunday to install "safeguards" that would keep parents from collecting tuition grants without adequate reasons.

Administration sources said the "safeguards" would stop parents from collecting the funds to send their children to private schools unless there was "adequate cause" for taking them out of public schools.

The change apparently was intended to allay fears of some educators, including officials of the Georgia Education Association, that the school money would have to be spent on tuition grants at the expense of the public school system.

COMMITTEE TO STUDY

The grant-in-aid bill will be considered by a Senate committee Monday morning along with the three other bills in the governor's package, outlined last Wednesday night in a dramatic session of the General Assembly.

Leaders of both the House and Senate predicted that committees will approve the measures and that two bills will be ready for passage in each body on Tuesday.

The House Education Committee is to discuss a bill providing for local option and a constitutional amendment dealing with freedom of association in the public schools. That hearing will get under way at 9:30 a.m.

ONE BILL EACH

In the Senate, the Rules Committee and the Education Committee will work on one bill each. The Rules Committee has the grant-in-aid measure and the Education Committee has a provision detailing ways that appeals may be taken from county boards of education to the state board.

Frank Hughes, executive secretary of the Georgia Education Association, had expressed some qualms about the tuition grant bill, saying a check in Virginia revealed it had some "bad effects."

Hughes said the GEA found in one Virginia county that 42 pupils had withdrawn from the public schools and were drawing tuition grants to attend private schools.

Virginia paid 4,750 grants during the last school year, at a cost of $1,030,376. Grants in the Old Dominion amount to $250 for each elementary school child and $275 for each high school student, official figures show.

Those funds are being paid to the parents, rather than to the county school system, even though "overhead and expenses in the public schools were not reduced," Hughes said.

The GEA took no position either for or against the Vandiver proposals.

Hughes said the members were "frustrated" because there was no firm provision in Vandiver's proposed appropriations bill for teacher pay raises.

House Floor Leader Frank Twitty said of the House bills, "I think they will both pass very easily. I think the Legislature will pass all four of them next week."

BYRD CONFIDENT

Lt. Gov. Garland Byrd said of the bills, "We are confident they will go through the Senate this week."

Meanwhile, the immediate past president of the County Commissioners Association of Georgia, now a Thomas County legislator, predicted that southwest Georgia legislators would favor the package.

James W. Keyton said, "The people in my section don't like it, but before they see a school close, they will resort to local option. . . . I will go along with the governor because I think he has gone as far as he can" toward preserving total segregation.

State Democratic Party Chairman James Gray of Albany, also in southwest Georgia, criticized the governor's program in his newspaper last week. Gray said the program amounted to surrender.

FIVE REASONS

The governor's executive secretary, Peter Zack Geer of Colquitt County, said he favored passage of the open schools proposal for five reasons:

"1. It insures public education in Georgia.

"2. It removes our children from the harsh grasp of sweeping federal court edicts seeking to compel that which is against the will of Georgia mothers and fathers.

"3. It strengthens county and local control of the educational process.

"4. It offers a plan of strategy to protect to the fullest extent Georgia thought and culture where at the present time, under present law, Georgia people and their governing authorities are hostages of the federal courts and the NAACP.

SAME POSITION

"5. Unless the plan is adopted, the governor and the General Assembly and the people of this state next September will find themselves in the same position with respect to common schools that we found ourselves at the university in the last two weeks.

"Generally, the plan is the only effective means for the people of Georgia to stock our arsenal with the new legal weapons to resist further inroads by outside social reformers and the dark hand of federal force."

About 10 days ago, Benson continued, copies of the resolution were sent out to between 1,800 and 2,000 other Georgia businessmen. Signatures are still coming in, Benson said Sunday.

Vandiver's Defeat

Gov. S. Ernest Vandiver of Georgia, dedicated racial segregationist, who swore that there would be no school integration during his administration, has bitten the dust in defeat.

Everybody else knew the Governor and his captive legislature were far over-matched in a bout with the United States Supreme Court, but fools rush in where angels fear to tread.

Sherman marched through Georgia no more devastatingly than the Supreme Court.

What Georgia officials have not inherited from the rebel past, is grace, so presumably they will have school integration the hard way.

Latimer Asks Peaceful End To School Segregation Here

The president of the Atlanta Board of Education, elected to his fourth term Tuesday, said he is hopeful the state government and the people of the community will permit a peaceful end of school segregation here.

A. C. (Pete) Latimer, in a short talk following his election at the board's annual reorganizational meeting, repeated the board's determination to obey federal court orders banning racial discrimination in pupil school assignments.

"I for one have great hopes we can go through the period of transition—for an old order to a new . . . in an orderly, peaceful and dignified manner," Latimer commented.

He said he expects school desegregation to be accomplished here in "a way that the school system and the children won't be hurt."

Latimer, noting Atlanta is under a federal court order not to assign pupils to schools solely according to their race, said it is something that will have to be done, and "the only way to do it is peacefully."

Allen L. Chancey Jr., Fourth Ward board member, was elected vice president; Jack Glenn was reelected treasurer, and Louise Simpson was reelected secretary.

The board will meet Jan. 16 to consider its 1961 budget that will total more than $29 million. Latimer said the system is in "good shape" and is starting off the year in a good financial position with about a $4 million cash carry-over from 1960.

Speak Out on Schools, Dublin PTA Advised

By CHARLES MOORE
Constitution State News Service

DUBLIN—Members of the Dublin Parent Teachers Association Council Monday were urged to express their views to state officials on the school integration question.

Spokesman for the proposed appeal to legislators was the Rev. John D. Campbell Jr.

Mrs. H. C. Thorpe, president, in whose home the meeting was held, explained that the council had been asked to take a stand on the subject. She said the PTA doesn't take part in issues, but endeavors to present the facts objectively, encouraging members to think for themselves. She, too, urged members, as individuals, to convey their feelings to state officials.

Others on the program were S. R. Lawrence, superintendent of schools; Dr. John A. Bell Jr., chairman of the City Board of Education, and McGrath Keen, board treasurer. They talked on the proposed schools' expansion.

School Property Is Stolen From Craddock School

Atlanta school detectives reported Thursday that someone had maliciously destroyed and outrightly stolen a great amount of property at the Craddock School, located at 448 Gray St., N.W., during the Christmas-New Year holiday period.

The burglary at the school was discovered the afternoon of Jan. 3, police said, when teachers and pupils arrived back at the damaged school for classes.

Detectives theorized that the person who did the damage entered the school by using a ladder to climb through a second floor window in the new building.

There was not a suspect in the crime, nor was there any trace of stolen property, but police were itching to get their hands on the perpetrator.

Just a fraction of the damage done to the school included the following:

Two windows were smashed; plaster was knockkeld off the classroom walls in the old building; 141 pencils were broken in half; a teacher's desk was torn open; a blackboard was damaged; tar was poured on floors and desks; the floor was badly gummed with lotion and glue; musical instruments were, in some cases, totally destroyed; a rug in the principal's office was damaged; a flag was badly ripped; a filing cabinet was burned on the inside; three upholstered leather chairs were damaged; bath fixtures in the principal's office were ripped.

Piled on top of all that damage, the intruder yanked a water cooler from the wall in the old building, flooding the basement with water.

The building, according to School Det. J. E. Ratledge, was completely ransacked and virtually turned inside out.

Included among the items stolen from the school were:

A radio, scissors, audio-visual equipment, a record player, films, a bottle of ink, a staple machine, one yard stick, board crayons, paint brushes, a fire extinguisher, a brief case, paint a majorette costume, three acquarium, and a large amount of silverware.

Much more was stolen from the school property, but the brief list is an example of the random way that the burglar went about his task of mutilating the school building.

School detectives were investigating the case for further clues, but, meanwhile, city burglary detectives were also called into the investigation and they, too, were pressing an intensive search for the burglar.

Mrs. Howard Elected And Assigned To Mayson School

The Atlanta Board of Education Monday night officially adopted the General Fund Budget for 1961 and elected Mrs. Gwendolyn Howard, seventh grade teacher at the Daniel H. Stanton School, to a principalship ...

Convening in a special session at the City Hall, the Board adopted the General Fund Budget in the amount of $29,752,490.56 for the operation of the Atlanta Public Schools for the year 1961.

Dr. John W. Letson, superintendent, recommended Mrs. Howard to the Board for election to a principalship, and later assigned her to the James L. Mayson Elementary School on the Bankhead Highway.

MAYSON SCHOOL TO BE CONVERTED MONDAY

The Mayson School will be converted to occupancy by Negro pupils on Monday, which marks the beginning of the third quarter for the Atlanta Public Schools.

According to Area Superintendent, Dr. Edward S. Cook, Jr., of Area IV, the school will open Monday for a normal school day, indicating that plans have been completed for some 356 students.

The instructional staff will include 11 full-time classroom teachers and three part-time teachers for choral and instrumental music and duty in the library.

A graduate of Spelman College and Atlanta University, Mrs. Howard started teaching in the Atlanta Public School System in 1951. She was a seventh grade teacher at the W. H. Crogman School before being transferred to Stanton. She is married and the mother of two children.

The conversion of the Mayson School to occupancy by Negro pupils will relieve some of the overcrowded conditions and double sessions, through the fourth grade, at Collier Heights Elementary School, on Collier Dr., N. W.

The enrollment at Collier Heights during the first and second quarters was over 1,000, an increase of some 520 students over the previous year.



MRS. GWENDOLYN HOWARD

The Collier Heights School, built with funds from the 1957 bond issue, started with 10 classrooms and an additional 10 classrooms were provided last year.

Dixie Told to Fight Or Lose Schools

VALDOSTA (AP)—People of the South must speak out against any threat to their public schools and university and cannot allow violence to disrupt orderly conduct of these institutions, the president of the Southern Co. said Thursday night.

Harllee Branch Jr. praised Gov. Ernest Vandiver and Georgia lawmakers for their "courage and political realism" in the state school crisis.

Disruption of education in Georgia, or any other southern state, would mean a serious blow to economic development, he said.

Addressing an annual Chamber of Commerce meeting, Branch asserted:

"If we start with the assumption that Georgia and the South must have more industry, and that a sound and progressive education system is essential for economic growth, then none of us can remain silent in the face of any threat to our public schools and universities nor stand idly on the sideline when violence disrupts the orderly conduct of these institutions."

Branch, who heads an electric power firm reaching throughout Georgia, Alabama, Mississippi and Florida, said he thinks there is a growing awareness that destruction of public schools will "only destroy our section and its future."

Referring to Georgia's General Assembly moves to pass legislation designed to keep open schools and hold integration at a minimum, Branch said:

"Our governor and legislators are as deeply devoted to Southern traditions as any among us, are struggling to preserve the benefits of education for all our people.

"They are to be commended for their courage and political realism, and they are entitled to our unceasing support."

Ga. To Have First Integration Laws

Georgia will have a "school integration" law for the first time in history when Gov. Ernest Vandiver signs three bills passed by the House and Senate to block "massive integration."

What the bills, and another enactment, a constitutional amendment to be voted on in 1962, will do, depends on courts. What they are intended to do has been outlined by House Floor Leader Frank Twitty:

1. Pupil Placement: This is intened to block "massive integration" by the single stroke of a federal judge's pen by making mixed classrooms legally possible. Laws forbidding race - mixing can be thrown out wholesale in "class actions."

It not only forces Negroes to use administrative remedies and suits on an individual basis instead of by class action, but adds one administrative step. Negroes denied admission to a white school locally must appeal to the state board before they can bring suit.

2. School Closing: When a local board finds itself forced by court decree, finally, to admit a Negro to a white school the board, or 15 per cent of the voters, may call an election to close the school.

"It is not believed that the act will be invoked in too many instances," Twitty said. Strategic placement under the other law "will greatly minimize" integration in urban counties, where sentiment may oppose closing.

"In rural counties .... the situation is usually well under control and the likelihood of efforts at integration within the next 20 years is probably remote."

3. Grant-in-Aid: When a school is closed, this law keeps state and local funds going, but they will be used to subsidize private schools by paying tuition, on a pro rated basis.

Local boards may sell school buildings under some circumstances.

4. Freedom - of - Association: This amendment guarantees that no child will have to attend any integrated school against his will. It repeals the constitutional provision requiring segregation. It guarantees state support of education, but not necessarily support of a public school system.

By repealing the last vestige of "segregation" from state school laws the amendment, according to Twitty, will prevent the federal courts from using them as an excuse to decree "class -action" integration.

Actually, Georgia's segregation laws have already been nullified by the implication of court decisions if not by the three bills that have just been enacted and by the proposed amendment.

"Georgia finds herself — every county finds itself — naked, stripped of every fefective and lawful means whereby the children can be protected," Twitty said in calling for support of the school measures.

Georgia Alters Racial Statutes

State's Rigid Segregation Laws Abandoned For Local Option

By The Associated Press

ATLANTA, Jan. 27.—The Legislature, in a historic session, Friday abandoned Georgia's rigid school segregation laws.

Four separate laws replaced a mass of earlier statutes that kept the races in separate schools. Sponsors pictured them as offering the most feasible method of holding integration to a minimum.

One is a local option bill allowing voters in a school district to close public schools by referendum to avoid integration. Schools could be reopened in a later referendum if voters decide they prefer public schools to private. But a vote on reopening cannot be forced in the same year the schools are closed unless the local school board agrees.

Tuition Approved

A second authorizes tuition grants for pupils who do not wish to attend integrated schools. It wipes out compulsory segregation of white and Negro pupils in public schools.

Another revises procedures for appeals to the State Board of Education and removes certain supervisory authority now held by the board, to forestall any statewide integration orders from Federal courts.

The fourth, a proposed constitutional amendment to be voted on next year, would guarantee freedom of association—that is—children of different races cannot be forced to attend the same school. The proposal also reaffirms the state's power to tax for education.

In final arguments Friday, Senator Carl Sanders of Augusta told the Senate the new statutes are similar to laws enacted in North Carolina and Virginia. He said the laws in those states have not been challenged by Federal courts.

In Framework Of Law

Senator Sanders, in arguing for Senate passage of the bill, said:

"This bill will put in the hands of local people the right to suspend schools. What we are trying to do is to preserve segregation within every conceivable framework of law. I think both the Negroes and white people desire that."

The four statutes, Senator Sanders said, give the best method of control and will permit the state to maintain public schools one way or another. The bills will be sent to Gov. Ernest Vandiver Monday.

Governor Vandiver proposed the four bills as the best possible way to maintain Maximum segregation and avoid dictation from Federal courts.

Doctors Ask Pupil Placement

MACON (AP)—Almost 500 doctors from over the state have sent a telegram to the Georgia General Assembly urging legislators to modify existing state school laws in order to preserve public education.

The move to get signatures to the petition, which was received Tuesday by the State Legislature, was begun about 10 days ago by a group of Macon doctors, Dr. John T. Dupree, Dr. William K. Jordan, Dr. John O. Martin, Dr. Ralph Newton Jr., Dr. R. M. Reifler, Dr. Charles Richardson Jr., Dr. Edwin Watson, and Dr. J. P. Woodhall.

The telegram which was addressed to the General Assembly in care of House Speaker George Smith, read as follows:

"As individual citizens and physicians we feel that the public school system of Georgia should be preserved and urge our leaders to take steps now to modify the Georgia school laws to permit local option and pupil placement plans."

Vandiver's School Bills Expected to Win Quick Assembly Okay Today

Panels Vote Vandiver's Measures

By REG MURPHY

The General Assembly is ready to begin voting Tuesday on Gov. Vandiver's open school bills—"by far the most important" issue his administration has faced.

Vandiver asked Monday for unanimous support of the four-bill package and at the same time

Text of governor's statement, Page 8.

answered critics who "counsel defiance" of the federal courts.

The governor described the significance of the House and Senate votes this way:

"Of all the roll calls in my administration, this one, dealing with the fate of the schools and the future of the youth of our state, I consider by far the most important."

House and Senate leaders joined him in predicting swift passage of the measures shortly after the Legislature convenes Tuesday.

The House is scheduled to begin consideration of a local option bill and a constitutional amendment designed to guarantee "freedom of association" shortly after it convenes at 11:30 a.m.

The Senate will vote on measures to provide for tuition grants to parents who want their children in private schools and to clarify the method of appeals to the State Board of Education from rulings of local boards.

Three legislative committees cleared the way for the voting Tuesday by recommending passage of the bills.

The House Education committee discussed the local option and freedom of association bills for two hours before recommending on voice votes that they pass.

In that meeting, Augusta segregationist Roy V. Harris advocated that Southern whites adopt passive resistance and, a little later, that the governor defy the courts and go to jail.

Before Harris spoke, House Floor Leader Frank Twitty read the governor's reply to his critics and his plea for support.

"If any person is so irresponsible," Vandiver said, "as to counsel defiance of lawful processes and subject the teachers and children of Georgia to bodily hazard, he may do so, but he must answer to his conscience and to the future for it."

Harris said he knew of no reason why the statement was read just before he spoke. "I've never advocated closing the schools and I've never advocated any violence," he declared.

REASSURES WIFE

The Augustan said, "My wife begged me last week to resign and get out (of the States' Rights Council) . . . I told her, 'for three or four weeks, I'm going to be the biggest S. O. B. in Georgia ut after that they will speak to you.'"

Then Harris attacked the constitutional amendment that would guarantee freedom of association. "This is the most dangerous thing that has been introduced in this legislature since the carpetbaggers and the Negroes sat in the legislature" after the Civil War, he said.

On defiance of the courts, Harris said, "I'm hoping someday to see a governor defy the courts, see him put in jail and see him run the government from jail."

That would "create a revolt" if it happened, Harris said, and he added he doubts any judge "has got enough nerve to put the governor and the legislature in jail."

OVERRIDDEN

The committee overrode his objections in an executive session and voted to pass the bills out. They had been explained by House Floor Leader Frank Twitty. On a voice vote of the 45-member committee, only four or five reportedly voted against their passage.

Vandiver's statement also replied to criticism from former Gov. Marvin Griffin and State Democratic Party Chairman James Gray of Albany.

Griffin said the program would result in "mass integration without firing a shot," but he would not get into the position of favoring closing the schools rather than accepting integration.

The former governor, whose feuds with Vandiver date back to 1955, said the state should begin to make grants immediately to children for paying their private school costs.

STRESSES PRIVATE SCHOOLS

Gray, an Albany newspaper publisher and a native of Massachusetts, has said he would prefer massive use of private schools to any integration of the public schools.

The Senate Rules Committee rejected a rewritten grant-in-aid bill, apparently fearing that by giving the State Board of Education power to determine what private schools would be recognized, it would be creating another group of publicly recognized schools.

The committee unanimously passed the original bill after rejecting the substitute which had been written over the weekend to provide "safeguards" on the grants.

The Rules Committee went into a 40-minute private session to make the decision. Before that, Asst. Atty. Gen. Freeman Leverett and special counsel B. D. Murphy explained the measures.

The Senate Educational Matters Committee unanimously passed the bill providing for appeals from local boards of education to the state board.

Leverett said the bill on appeals would "eliminate class actions" so that integration suits would have to be handled on an individual application basis.

The present law provides that any court ruling affecting the State Department of Education affects all Georgia schools. This provision is being removed.

House Speaker George L. Smith II of Emanuel County, saying the bills will be considered Tuesday, commented:

"From talking to members of the House, it is my opinion that these bills will pass the House with very few dissenting votes."

Most of Atlantans Stand by Vandiver

By MARVIN WALL

Atlantans, faced with the threat of school desegregation next fall, generaly approved Wednesday night of what Gov. Ernest Vandiver had to say about Georgia's school crisis.

The vote, however, was far from unanimous. Some Atlantans, selected at random from the telephone directory, thought the governor's dramatic television address was vague. Several didn't want to comment, and one or two plainly didn't like what he said.

More than half of those reached said they watched the program.

Leonard L. Yung, 903 Rosdale Rd., NE, thought the speech was "about the best I've heard him make."

"He seems rather positive in his ideas," Young said. He didn't spell it out, one-two-three, but I think I know what he meant. He seems determined to maintain public education."

"He's doing the best he can about it," said Albert Starks, 360 Kelton Dr., NE. "He's got problems with both sides."

"I liked it very much," said Mrs. Fae T. Morrison, 546 Seal Pl., NE. "I wonder if he can make it work?"

"What he said was exactly what we feel," said Mrs. D. H. Thompson of Forest Park. "I just hope somebody will do something about it. We want segregated schools, but public schools."

Said George W. Douglas, East Belle Isle Rd.: "I'm with him 100 per cent. I just hope his program can be carried out."

"We thought it was wonderful," said Mrs. C. J. Johnson, 1113 Cascade Rd., SW, "if he can just carry it out. He didn't give any details of how it would be done."

Wade C. Campbell, 981 Juniper St., NE., said he heard only part of the speech and that "parts of it were definitely vague." he added:

"I liked what he said about continuing public education at any cost, but I was not sure exactly what he meant about the tuition grants plan or changing of the statutes. He seemed to leave this up in the air."

A woman who requested her name not be used said:

"What was behind all those words? Is he for local option or isn't he? It was a lot of words, with nothing said."

Mrs. Gilbert Hendersen, 584 Boulevard, NE, said she heard only part of the speech, but "it sounded wonderful to me."

Mrs. Bess Kaplan, 2474 Hunting Valley Dr., Decatur, said her reaction was "not favorable at all."

"We're in favor of open schools," she said. "If the schools were closed, children would lose their vital education."

Press Takes Stand

The Atlanta Constitution

State Newspapers View Public Schools Crisis

Atlanta, Ga.

Here are some comments from daily Georgia newspapers on the public school desegregation issue now facing the State Legislature:

Macon Telegraph

Sunday 1-19-61

Unless the General Assembly moves while there is still time to wipe out segregation laws, which have proved ready-made pitfalls in every state-federal legal conflict thus far, the legislators can expect to see these laws used as the basis for more litigation in the racial field, or else knocked out summarily by the federal courts.

Unless the General Assembly adopts local option and pupil placement plans that will stand the test of judiciary scrutiny, it can expect to see the courts act for it.

The greatest degree of segregation can be kept by legislative initiative. If the General Assembly expects to regain control of its prerogatives, it must act intelligently, swiftly and in full recognition of the realities of constitutional law.

If the legislature fails to act, then by default it is leaving the entire issue to the federal government.

Valdosta Daily Times

The great majority of our people, white and Negro, would much prefer to see our long-standing segregation pattern maintained. However, that is no longer possible under federal court action.

In the light of what has happened, we must maintain our dignity and our decorum and strive to accept the inevitable with good grace.

Violence, hatred, rock-throwing will never furnish the answer to the problem. Georgians fought a good battle as long as there was a legal avenue open. Now is the time to accept the outcome and arrange to live with it.

Savannah Morning News

Facilities for public education must be maintained. We cannot in practical judgment and all good conscience take any other position. The governor and the legislature will seek to see that this is done, and in this effort, they have our prayerful hope for success.

Gainesville Daily Times

Two measures relating to all education have started their route through the legislative mill. One would repeal all the "massive defiance" segregation laws, those "albatrosses," according to Gov. Vandiver, that impede the state's flexibility and prove to federal courts that the state is acting in a discriminatory fashion.

We hope it will pass.

Another, known as the Pannell bill, would provide for local referenda on closing schools. This is a combination local option, pupil placement bill.

The Pannell bill is quite similar to major elements of the so-called North Carolina plan and that state has yet to hold a district referendum. As a necessary step in the state's development of constructive legislation relative to the race issue, this bill also should be approved.

Columbus Enquirer

It no longer is a question of whether you are a segregationist; it is now a question of keeping the state's educational institutions open. The federal courts, it is a certainty, are going to continue to issue decrees against segregated schools and the matter of enactment of appropriate legislation should no longer be delayed.

The General Assembly should enact promptly some kind of school legislation—probably a pupil placement act. The Enquirer is convinced that a majority of the people now want legislative action designed to keep the schools open.

Rome News-Tribune

We have seen the fallacy of delay, of attempting to apply piecemeal laws which the courts already have ignored and of having those courts then take over the very functions we seek to protect. If Georgians are to live with this issue of integration, bring up our children to respect law and individual rights and educate them in the way they deserve, then we must have authority to maintain the best control possible over the situation in the individual local communities.

Gov. Vandiver in his remarks opening this session of the General Assembly says no one of authority wants or has advocated closing Georgia schools. His statement, without further elaboration, that "we cannot abandon public education" would seem to be the sign for the legislature to take positive action to prevent its disruption.

Members of the General Assembly have been at home this weekend, largely, we believe, to sample the sentiment of their constituents. They need to know, and deserve to know, what the people of Georgia want. We are certain they will find that wish is not for violence in the streets or empty classrooms.

Moultrie Observer

Whether by design or the result of coincidence, this matter of integration in the educational institutions has posed a serious problem in Georgia government—a problem which calls for decision, and an intelligent one. The Legislature and executive department must not allow emotion or pressure to sway them from a unified decision in the best interests of Georgia, her youth, and the future.

Here's Text Telling Vandiver Position

The Atlanta Constitution

Tues. 1-24-61

Here is the next of a statement released Monday by Gov. Vandiver outlining his position on his open school proposals:

Let me emphasize, gentlemen, that my efforts, the efforts of the administration leadership in the General Assembly, are devoted completely at this time toward securing as unanimous a vote as possible in the General Assembly for the freedom of association child protection plan.

I am not surprised at the opinions expressed from a few quarters. That is to be expected. I welcome these expressions. That is their right. Everyone is entitled to have his say. There is no thought control in this country.

If any person is so irresponsible as to counsel defiance of lawful processes and subject the teachers and children of Georgia to bodily hazard, he may do so, but he must answer to his conscience and to the future for it.

I reject such counsel.

The people of Georgia reject it.

I am grateful for the overwhelming support given me by Georgians in this grave hour.

Now is the time, if there ever was a time, for positive thought, constructive action and responsible leadership.

I am grateful to all of those in the General Assembly who have demonstrated their strength of character in this crisis. The people appreciate it. I appreciate it beyond words.

It is my hope that the General Assembly will give these proposals a unanimous vote and that no member will allow himself to be recorded as voting against public education and against the welfare and best interests of the children of Georgia.

Of all the roll calls in my administration, this one, dealing with the fate of the schools and the future of the youth of our state, I consider, is by far the most important.

Let us show to the nation and demonstrate to the whole world that Georgia is acting positively to protect her children and protect her good name.

Vandiver Has Apology

The Montgomery Advertiser

The Anniston Star

THIS paper commented a few days ago upon what we considered an unjustified attack upon our neighbor state of Georgia and its governor on the part of *The New York Times*, which for some unknown reason in recent years has become a constant critic of this part of our common country.

The occasion of its attack at that time had to do with the rowdiness that took place when two young Negro students were admitted to the State University, and the New York daily leveled its rancor particularly at the chief executive of the state.

It just so happened, however, that the outbreak of violence on the occasion in question was totally unanticipated by the governor. But it was stated on the next day that the mob action was the "bitterest step of Gov. Vandiver's brilliant career."

And now in sipte of the fact that the governor opposes integration of the races in the Georgia state schools, he has taken every step necessary to prevent a repetition of the mob action out of respect for the law of the federal government in the premises.

Moreover, Vandiver has cancelled his proposed trip to Washington as a guest of the new president, and also has arrested five of the Klansmen who are said to have fomented the mob action. It would seem, therefore, that it is in order for *The Times* to apologize to the governor and his state.

Women Voters Back Vandiver

The Atlanta Constitution

SAVANNAH (AP)—The local and State Leagues of Women Voters came out Monday in support of Gov. Ernest Vandiver's plan to repeal present laws which would close schools when desegregated.

They state opposition to Senate Bill 49 which would place control of schools in the hands of local boards of education rather than in the hands of the state board.

Tues. 1-24-61

Announcement of the state league's stand was made here Monday morning by a spokesman for the local league. She said the local group takes the same position as the state group.

A Barrier Tumbles

Georgia's Acceptances of Desegregation Points Out Shift in South's Sentiment

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Jan. 27—A major shift in Southern sentiment toward school desegragation has taken place since the Supreme Court handed down its historic decision six years and eight months ago.

From "segregation at any cost," much of the region has switched to "segregation if possible." The change was underscored vividly today as Georgia's wall of massive resistance came tumbling down. Significantly, the state and not the Federal Government took action to bring local laws more into line with the rulings of the courts. The lessons of Norfolk, Little Rock and New Orleans have been learned.

News Analysis

The decision by Gov. S. Ernest Vandiver and his supporters to adopt a system of local option stemmed from a number of complex factors, chief among them popular pressure. The overwhelming legislative backing for the move, the relative silence of the bitter-end segregationists and public reaction showed that it was the will of the people.

A few short months ago it appeared that Georgia would have to undergo the agony of closed schools or worse before according even token compliance to the courts. A committee created by the Legislature and headed by John A. Sibley, an Atlanta banker, conducted hearings last year in the state's ten Congressional districts. It found a bare majority in favor of closing schools.

A Point Is Pressed

Long before the hearings, Atlanta had faced the likelihood that it would be forced to desegregate its classrooms. This caused little concern elsewhere in the state. But The Atlanta Constitution, The Atlanta Journal and other smaller newspapers repeatedly made the point that the closing of schools here might very well mean the abolishment of public education throughout Georgia.

The futility of opposition was driven home forcefully this month by the admission of two Negroes to the University of Georgia. The impact was felt in every one of the state's 159 counties.

Other pressures have been building up. For more than two years a state-wide group called HOPE, for Help Our Public Education, Inc., had been campaigning for open schools.

A barrage of resolutions, petitions and statements calling for continued public education had been issued by ministers, educators, physicians, lawyers, business men, chambers of commerce, grand juries and civic organizations.

Even some of the state's political leaders had given tentative recognition to the inevitability of compliance with the court. Surprisingly enough, one of these was United States Senator Herman E. Talmadge, an arch segregationist nd one of the stte's most powerful political leaders.

View by Talmadge

In a speech here more than a year ago, he declared:

"Regardless if one accepts it or not, the Supreme Court school decision is an accomplished fact * * *. The closing of any school anywhere is a lamentable occurrence."

Mayor William B. Hartsfield of Atlanta and other moderate and liberal public officials have spoken out time and again against the advocates of continued resistance.

Evidence that these efforts were having an effect appeared a few months ago when many state political leaders began to say: "I don't favor integration, but I favor public schools."

In campaigning for the governorship, Mr. Vandiver had pledged that as long as he was Governor not one Negro would attend classes with whites. Nine days ago he abandoned that promise in a tacit admission that the cost of keeping it would be prohibitive.

Threat to State Seen

In a speech to an extrordinary night session of the Legislature, he asserted that a failure to resolve the crisis would blight the state.

"Like a cancerous growth, it will devour progress—consuming all in its path—pitting friend against friend—demoralizing all that is good—stifling the economic growth of the state—and denying the youth of Georgia their proper educational opportunity."

The subsequent action by the Legislature leaves only three Southern states still locked in a posture of massive resistance—South Carolina, Alabama and Mississippi. Undoubtedly, Georgia's step will cause them to reconsider the likely penalties of continued defiance of the Federal courts.

Georgia Is Easing Segregation Laws

Special to The New York Times.

ATLANTA, Jan. 27—The Legislature approved today repeal of public school segregation laws in a retreat by Georgia from massive resistance to the Federal courts.

The question of keeping schools open even if it meant at least token desegregation was left to the local communities. Grants-in-aid were provided for pupils who preferred to attend private classes.

These provisions were in a package of four bills proposed by the administration of Gov. S. Ernest Vandiver. The House and Senate took final action on three of the bills. House concurrence is needed in an amendment to correct a typographical error in the fourth bill, but that is considered a formality.

Passage came only nine days after the Governor had advocated the plan as the only course left for maintaining as much segregation as legally possible and still preserving public education.

Atlanta, which is scheduled to begin desegregation in September under a Federal Court ruling, and many other areas are expected to welcome the opportunity to avoid closing of the schools.

However, observers believe some rural counties in which Negroes outnumber whites may abolish their educational systems when confronted with a similar choice.

The Vandiver plan is akin to the freedom of choice program voted by a narrow margin in the Virginia Legislature. However, the Virginia action was taken only after the schools had been closed.

North Carolina also has a local option provision, but no grants-in-aid. That state was never in the massive resistance column, however.

The Georgia chambers passed without a dissenting vote and sent to the Governor today the grants-in-aid bill and a pupil-placement appeal measure.

The grants bill includes repeal of a half-dozen segregation laws. Under it every child between 6 and 19 years of age is entitled to "a grant of state and local funds to be expended for the purpose of attending a nonsectarian private school."

The amount will vary, since it will be determined by dividing the total state and local funds available in a given system by the number of pupils.

Placement Revision

The placement bill removes the State Board of Education's power to set placement regulations and leaves it to the local boards. These boards will devise attendance area restrictions and academic and psychological standards for judging applicants for transfer from one school to another.

Applicant receive the right to appeal their assignment to the State Board of Education.

A local option measure was passed by the Senate without dissent, but must be returned to the House Monday for the typographical correction.

The bill gives local school systems power to call school closing elections at the request of 15 per cent of the registered voters. The systems are also authorized to call a subsequent election on the question of reopening after a petition from a like number of voters.

No mention is made of segregation in the measure. But it is clear that it is designed to allow communities to decide whether to comply with desegregation orders.

Closing of the schools would suspend compulsory attendance laws in the affected system. However, the State Board of Education would continue to receive state funds to finance grants to pupils. Teachers and other employes would continue to receive their salaries.

Change in Constitution

The Senate concurred with the House and sent to the Governor with only one "no" vote a "freedom of association" amendment to the State Constitution. The amendment reads:

"Freedom from compulsory association at all levels of public education shall be preserved inviolate. The General Assembly shall by taxation provide funds for an adequate education for the citizens of Georgia."

The Senate Rules Committee was told by Freeman Leverett, a special counsel for the state in segregation matters, that the amendment would by implication repeal the present constitutional requirement for school segregation. That section states:

"The provision of an adequate education for the citizens shall be a primary obligation of the State of Georgia, the expense of which shall be provided for by taxation. Separate schools shall be provided for white and colored races."

The new section cannot go into effect until it has been approved in a 1962 referendum. However, state legal experts concede privately that the requirement of segregation does not conform to the United States Constitution.

Some observers expect the Atlanta School Board to request the Federal District Court here to delay desegregation until after the referendum on the state amendment.

Even the Starlings Felt Tense, Historic Moment

The Atlanta Constitution
Atlanta, Ga.
P. 1

By CELESTINE SIBLEY

The governor called it "an occasion history will judge," Wednesday night's emergency joint session of the General Assembly—and even the starlings twittering restlessly as they settled down the night in the ornate carvings under the eaves must have known it was rare and special.

Herald 1-19-61

The tall windows of the House chamber were brightly lighted for the first night session in nearly a decade. The building burgeoned with people.

P. 1

The gentlemen of the General Assembly came back from their hotel rooms, freshly combed, clean shirted, some of them slightly scented with the fragrance of before-dinner bourbon, and there was a mood of expectation, restrained excitement on them.

A television truck blocked the front steps. Crews trundled in cameras, flood lights, microphones. The gallery filled up fast, except for the roped-off section reserved for Negroes. (One dark-skinned man sat there in splendid isolation among a dozen empty seats. He later told somebody he was a sweep-up man, come early to hear the governor's speech.)

Outside as twilight deepened a quiet procession of people, for the most part middle-aged a little shabby, plodded doggedly around the block carrying crudely lettered signs protesting integration. Inside a group of mothers who have worked for two years in an organization called HOPE (Help Our Public Education) for the assurance that the schools could continue to operate, sat in the gallery awaiting the governor's power.

P. 10-B

Atlanta, Ga.

By 6:45 the members of the senate had come to join the members of the House in the bigger chamber, cadging seats where they could find them under the brilliant lights, among the expanded corps of reporters, swelled for this occasion by representatives of two or three national magazines and the forces of radio and television. They stumbled over cables, taped to the floor with yards of adhesive, and some of them sat on the steps of the speaker's platform or perched in window sills and on radiators.

Herald 1-19-61

When the clock's hands stood at five minutes of 7, the Senate doorkeeper, Henry Castleman, whose vocal chords were conditioned for the task by years of train calling at Union Station, stepped inside the center door and boomed:

"Mr. President. His excellency, Gov. Vandiver, Mrs. Vandiver and their distinguished guests await the pleasure of this General Assembly!"

Lt. Gov. Garland Byrd called back, "Let his excellency, Gov. Vandiver, Mrs. Vandiver and their distinguished guests be escorted to the rostrum!"

A committee of 11 representatives and four senators swept down the aisle with the chief executive's party, led by Henry, the doorkeeper, who had the First Lady by the hand. Betty Vandiver, wearing a rose-colored dress, a small veiled black velvet hat and white gloves, smiled and spoke to friends by name as she moved toward the platform. A bracelet, which carries small gold charms representing each of her children, tinkled on her arm.

The lieutenant governor introduced her as "the always charming, beautiful, gracious First Lady, Betty Vandiver" and she took a bow. He introduced Atty. Gen. Eugene Cook and B. D. Murphy, as the leaders of the legal fight against integration who have "labored hard for the last 10 years in this cause." He presented his own pretty wife, Gloria, and House Speaker George Smith, and then he said, "We'll wait two minutes for the cue from the radio and television stations."

MORE

The chamber was quiet except for the flutter of a copy of the governor's upcoming speech at the press table and an occasional light cough somewhere. In the background Ray Moore of WSB-TV was heard to say into a microphone, "We are about to hear an historic address by Gov. Ernest Vandiver on the school situation."

Byrd gave three resounding raps with the gavel and began his introduction of the governor, who stood, perspiring slightly, under the hot lights, while the members of the General Assembly got to their feet to give him an opening standing ovation.

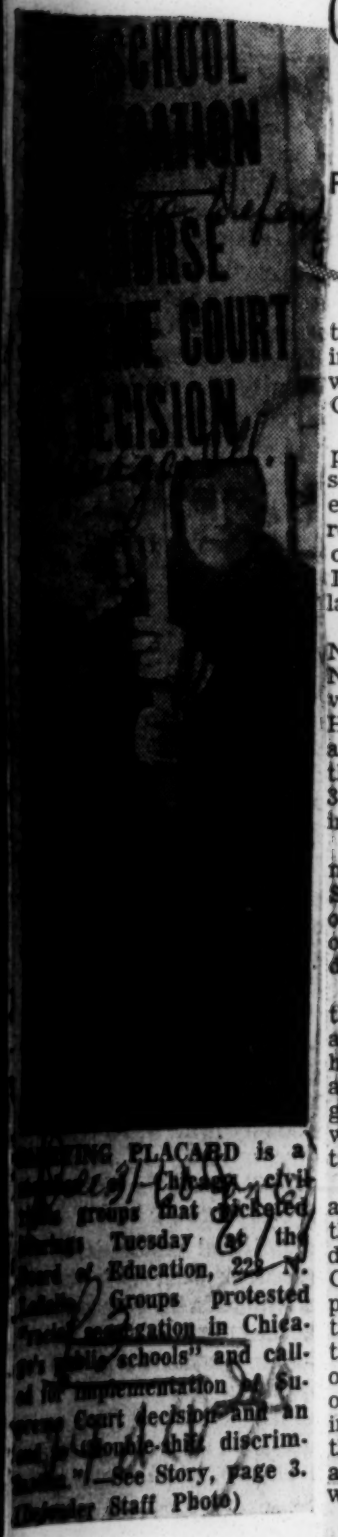
Twenty-nine minutes later he had finished what was perhaps the most difficult speech of his career. It had been punctuated 21 times by applause—heavy applause, supplemented with cheers and whistles when he spoke of maintaining segregation, lighter applause when he spoke of "an effective alternative."



Staff Photo—Bob Dendy

PICKETS CARRIED VARIED PROTEST SIGNS

One of 15 to 20 Who Paraded Around Outside Capitol



...SCHOOL ...ATION ...Before ...RSE ...E COURT ...ECISION

...ING PLACARD is a ...Chicago civil ... groups that picketed ... Tuesday at the ... of Education, 228 N. ... Groups protested ... segregation in Chica... ...'s public schools" and call... ...implementation of Su... Court decision and an ...double-shift discrim... ...—See Story, page 3. ...Defender Staff Photo)

CHICAGO SCHOOLS SUED BY NEGROES

Parents Charge Segregation and Seek an Injunction

Special to The New York Times.

CHICAGO, Sept. 18—A suit to end alleged racial segregation in the Chicago public schools was filed in Federal District Court today.

The action was taken by the parents of thirty-two Negro school children assigned to five elementary schools. They were represented by Paul B. Zuber of New York City and James D. Montgomery of Chicago, lawyers.

Mr. Zuber is an official of the New York State Chapter of the National Association for the Advancement of Colored People. He said at a press conference after the suit had been filed that the action would possibly affect 30,000 to 40,000 school children in Chicago.

It is directed against Benjamin C. Willis, Superintendent of Schools, and the Chicago Board of Education, who are accused of having established school districts on racial lines.

"Dr. Willis is fully aware," the suit said, "that by rigidly adhering to these district lines he has compelled children to attend not only racially segregated schools, but schools at which they are only able to obtain a part-time education.

The court eves asked to issue a permanent injunction against the defendants and to return a declaratory judgment holding Chicago's "neighborhood school" policy illegal and unconstitutional. It charges that the practice is in violation of provisions of the Fourteenth Amendment of the Constitution guaranteeing citizens equal protection of the law and barring any abridgement of their rights without due process of law.

It also seeks a court order to require Mr. Willis and the board to permit the children to reregister in desegregated schools in other districts in which there are vacant seats.

The suit accuses Mr. Willis and the board of having "periodically altered school district lines for the purpose of containing the children and other members of their class within a prescribed school district."

Mr. Zuber said there were many vacant seats in mainly white schools that were easily accessible to Negro students, some of whom had to attend double-shift schools.

In Chicago—

100 Negro Pupils Denied Transfers

CHICAGO, Sept. 6 (AP)—Negroes made a futile effort to enroll their children in public schools attended by white pupils today in a peaceful prelude to a suit to force a remapping of Chicago's school districts.

More than 100 Negro youngsters, accompanied by at least 79 parents and other adults, tried to get transfers. They were turned away on grounds that each school admits only pupils who live within its district.

There were no incidents. Police guards, ranging from a single patrolman on foot to a squad in a car, were on duty. The names of the nine school targets in "Operation Transfer" were not published in advance, and no crowds gathered.

The Rev. S. S. Morris, president of the Chicago branch of the National Association for the Advancement of Colored People, which sponsored the movement, said the next step will be a suit by parents asking "redistricting to achieve the maxium amount of integrated schools."

'Have Evidence'

"We have evidence," he said, "that boundaries are manipulated to perpetuate segregated schools."

There are no white or Negro schools, as such, in Chicago. Some are all white, some all Negro and some mixed. The student body corresponds with the racial nature of the population in each school's neighborhood.

The Chicago Board of Education said that for years each elementary school has functioned in an area in which all homes are within walking distance.

A spokesman said transfers are issued only for medical reasons—such as for attendance at special schools for the cripled—and only 15 or 20 were granted in the previous school year.

At the opening of the school season today the NAACP urged Negro parents to try to shift their youngsters from crowded all-Negro schools to nearby all-white, schools that had space available.

Typical Scene

In a typical scene, 12 Negro youngsters and eight adults went to the Bryn Mawr School in the southeastern quarter. All the pupils there are white. The neighborhood is filled with well-kept apartment buildings, homes and stores.

The visitors were met in a corridor by the principal, Miss I. M. Kincheloe, a slender woman who wore glasses and a neat black and white checked dress.

She asked where the children lived.

"You are not in our attendance area," she said, and added that it is "not a case of segregation."

The Negroes left.

Renaming of school superintendent hit

CHICAGO — The NAACP this week announced opposition to reappointment of Benjamin C. Willis as superintendent of schools and charged him with maintaining and increasing a strongly segregated school system."

The Rev. Carl A. Fuqua, executive secretary of the local NAACP unit, urged school board members to "seriously and objectively consider the record of Dr. Willis," who comes up for reappointment August 31.

Dr. Willis, according to the NAACP, "has succeeded in building so many schools that the number of pupils on double-shift and triple-shift schedules is the highest in Chicago's history."

Willis Asks Shifting Of 117 Pupils

Chicago school Supt. Benjamin C. Willis has called for boundary adjustments which would affect 15 elementary schools.

Willis and the Board of Education have drawn sharp criticism from Negro parents who charge that present Chicago school districting results in segregation and double-shifts in overcrowded schools while desks in adjoining school districts sit empty.

One of the recommendations made by Willis to the School Board was to shift all 117 eight grade students from Parkside School to O'Keefe School. Parkside's enrollment is about 80 per cent Negro, while nearly all O'Keefe students are white.

"As nearly as one can estimate, we will eliminate double shifts and reach a goal of 30 pupils per classroom through construction now under way and new construction provided in the 1962 budget," Willis said.

"This does not take into account increases in the population in school attendance areas which cannot be anticipated today," he added.

There are now 25,000 Chicago youngsters attending school on half-day classroom schedules.

500 Jam School Board

Critics Protest Overcrowding, Race Barriers

Chicago Daily Tribune
6 Tues. 10-11-61

Chicago Sun-Times

Pickets Parade at Offices on La Salle St.

BY DONALD KOTULAK

An overflow crowd of 500 persons jammed the board of education meeting room, filled nearby halls, and picketed in La Salle street, south of Wacker drive, yesterday as school board members met to hear critics of their policies.

About 100 pickets from the Temporary Woodlawn organization marched in front of the building at 228 N. La Salle st., which houses the board's offices, carrying signs protesting segregation, double shifts, and overcrowding.

The Rev. Arthur M. Brazier, who said he was a spokesman for the Woodlawn group, left the meeting and took 20 supporters with him after standing and demanding that he be recorded as being present. The Rev. Mr. Brazier, listed at 27th among persons to be heard, took action as the second speaker was talking.

Caples Issues Order

William Caples, board president, told him to sit down and be quiet or leave. Caples also asked 200 persons not seated to leave the board room. They moved into the hall without causing a disturbance.

Board members attempted to answer most of the criticisms, and in some cases the members asked questions. This was the first public hearing the board has held in many years.

All 10 members were present except Dr. John L. Reichert who resigned Sunday. Representatives of about 38 organizations and 16 individuals made statements on the board's policies.



[TRIBUNE Photo]

The Rev. Arthur M. Brazier, representing a Woodlawn school committee, who left hearing before board of education yesterday, complaining that other speakers were using too much time.

Ruled Not Necessary

Spokesmen for the Chicago region of the Illinois Congress of Parents and Teachers and the Citizens Schools committee requested the board to authorize a study and evaluation of the school system.

William G. Caples, board president, said that a study was not necessary. He said he would ask School Supt. Benjamin C. Willis to publish a list of all the consultants that have worked with the administration in the last few years.

Mrs. Louis Malis, president of the congress, said an independent study should first be made of the high schools and later the elementary schools. The cost of the study could be paid by a foundation or by shifting school money from other funds, she said.

Caples asked her, "Do you want such a study to include an evaluation of the board's policy on education and how we are following thru on our own policy?" She said she did.

More Teachers Needed

"We do not need a survey to tell us that we could use more teachers," Willis said.

He said the school system could use 2,000 more teachers but that they would cost 16 million dollars a year.

The Rev. Carl A. Fuqua, executive secretary of the Chicago branch of the National Association for the Advancement of Colored People charged that the city's public schools were segregated because of the board's adherence to its neighborhood school policy.

Raymond W. Pasnick, board member, asked the Rev. Mr. Fuqua if the board should abandon its community school boundary policy. Fuqua said yes.

"Then any child could go to school where he wants to go?" said Pasnick.

"Partly yes," the Rev. Mr. Fuqua replied. "I don't mean that the neighborhood policy should be abandoned altogether. If the races were equally mixed in the city the community school would be ideal. It is now a tool of segregation because Negroes live in one section and whites in another."

Murray Makes Statement

Thomas J. Murray, board vice president who presided at the meeting after Caples left to attend a meeting in Washington, D. C., said:

"All of the members of the board want integrated schools in Chicago. The problem now is whether we have to transfer children from school to school to obtain a racial balance."

John M. Fewkes, president of the Chicago Teachers union, told the board that more teachers would be attracted to Chicago if they could be assured of better backing by the school administration and the police department in areas of student discipline.

CHICAGO SCHOOLS SET TO INTEGRATE

Shift of Negro Students to White Districts Sought

By DONALD JANSON
Special to The New York Times.

CHICAGO, Sept. 16—Chicago's Superintendent of Schools was directed by the Board of Education this week to prepare a plan to take pupils off double shifts by making use of vacant classrooms in other school districts.

Behind the order was mounting pressure for racial "desegregation" of the city's schools.

On the opening day of school last week 100 Negro youngsters sought transfers to schools outside the districts in which they live.

Their parents said the children were being cheated out of a good education by getting only half-day, or double-shift, schooling at the overcrowded schools in Negro neighborhoods. They said this should not happen when there were vacant rooms at near-by schools.

When their protest failed, the National Association for the Advancement of Colored People announced that it would take legal action "in the near future." It charged that school boundaries in Chicago were manipulated to perpetuate segregated schools.

Denies Segregation

Benjamin C. Willis, Superintendent of Schools, issued a statement denying that any schools were deliberately segregated. He said no records of pupils' race were kept and in all cases children went to school in the district where they lived.

BRODY

Under this neighborhood school concept, all elementary school children are educated within walking distance of their homes. Mr. Willis has consistently opposed proposals to transport children to other districts.

In large measure, the question before the board is whether to transport pupils from overcrowded "Negro schools" to uncrowded "white schools."

A second possible plan for using vacant classrooms would be to redraw district boundaries. This would result, in some cases, in putting Negro children in schools now all or predominantly white.

Mr. Willis said it would take a month to gather the facts on which to base a recommendation.

The number of vacant seats in the city's 500 schools has been estimated at from 20,000 upward. Mr. Willis said 24,800 children were on double shift. This would make it necessary to reassign 12,400 in order to eliminate half days.

The board's call for a plan stemmed from attendance by individual board members at neighborhood school budget hearings this week.

Mrs. Wendell E. Green, one of the eleven board members, said that at these hearings parents pleaded for an end to double - shift schooling and asked that children be transported to uncrowded schools. She also said she had received calls from many teachers in uncrowded schools who would welcome pupils from double-shift districts.

Mrs. Green's motion directing Mr. Willis to offer a "feasible plan" carried 8 to 2. One board member was absent.

One board member suggested building more schools instead of reassigning or transporting pupils. Mrs. Green replied:

"When I am asked to vote for a $1,000,000 school and get a letter from a P.T.A. president saying there are 950 vacant seats in near-by schools, I question what kind of judgment I am exercising."

Chicago Push

Negroes, NAACP-backed, are trying to enter their children in all- or predominantly-white Chicago schools. Refusal is being based on residence—the Negroes aren't in districts to which they are applying. The answer is intolerable if the '54 decision is as valid as it's said to be. White Chicagoans may as well face up to it! They, too, are going to have to realize that school mixing isn't just something involving the South. The ludicrous aspect is obvious, of course. That so belatedly is it coming to light that segregation is a clear Northern practice as much as a Southern.

Chicago Negroes File School Suit

CHICAGO, Sept. 18 (UPI)—Seventeen Negro parents charged today that Chicago public schools are racially segregated and filed suit in Federal court to open allegedly all-white schools to their children.

The parents charged that the board of education and School Superintendent Benjamin C. Willis have gerrymandered elementary school districts to perpetuate segregated classrooms.

Willis' office refused comment on the suit. Just last week, however, the superintendent of the huge school system issued a statement denying that public schools in the city were segregated.

The suit filed today was handled by Paul B. Zuber, who earlier this year won a Federal decision halting segregation at New Rochelle, N. Y., and James D. Montgomery, a former assistant district attorney.

More than 100 Negro children were rebuffed when they sought transfers to schools with predominant or all white enrollments on the opening day of school.

"The schools in Chicago have been integrated since the city was incorporated," Willis said last week.

He said he had no idea what the percentage of Negroes was in any school because the city keeps no record of pupils or employes by race, color or creed.

The NAACP called the Willis statement "evasive."

ILLINOIS

CHICAGO DIVIDED

Angry Debate Rages On School Mixing

CHICAGO (UPI)—A public session of the Chicago Board of Education turned into a stormy debate Monday over alleged segregation in the city's schools.

At one point, Negro parents walked out of the meeting en masse, shouting "Integration Now!" negro pickets marched in the street outside.

After the first two of 53 scheduled speakers took up more than an hour, attorney Paul B. Zuber described the speeches as "filibustering." Zuber recently filed a suit on behalf of 17 Negro parents, demanding that schools be integrated.

Zuber said the meeting began at 9 a.m. and that by 10:30 only two persons had addressed the session.

"I've seen this technique used in New York City and in New York state legislative sessions," he said. "It's filibustering, plain and simple."

The Rev. Carl A. Fuqua, executive secretary of the Chicago NAACP branch, charged, "Chicago schools are segregated. There are more than 100 all-Negro schools, and more than 200 all-white schools in the city."

The meeting lasted eight hours and 29 persons spoke.

14d(1) 1061

Accepts Post In Gary, Ind. Grade School



MRS. EVER M. STATUM

Mrs. Ever Merry Statum, Creston Hills elementary school teacher, will leave the city system this year to accept a new position as fourth grade teacher in the Beveridge school of Gary, Ind., at a 20 per cent salary increase.

A veteran Oklahoma teacher, Mrs. Statum has spent 25 years in the profession here in the state. The last 11 years have been spent in the Oklahoma City school system. Her training was received from Wiley college, Marshall, Tex., and Langston university, Oklahoma, where she received the Bachelor of Science degree. She earned the Master of Arts in education from the University of Oklahoma at Norman.

Mrs. Statum is the mother of four children, one of whom is also a teacher in the Gary public schools. They are: Mrs. Thevor Joyce Statum-Smith, second grade teacher in Gary's Bannaker school; Joseph Statum, a senior at the University of Oklahoma, where he is majoring in geology; Mrs. Justina Statum Owens, city; and Lucky Statum, who will be a freshman this fall at Tennessee A&I, Nashville. Her son, Joseph, was awarded the Harry T. Brown geological scholarship for the ensuing school year.

For many years Mrs. Statum has been active in educational and civic organizations. She is a member of the Redeemer Lutheran church and is affiliated with Sigma Gamma Rho sorority.

She presently resides at 1108 Windemere.

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IOWA

Consolidated Schools Ease Student Ills

BLOOMFIELD, Iowa (AP) — One out of every three high school seniors in this country today has been denied a good education because the school he attends is too small.

Not one high school in four is big enough to afford the courses, the facilities, and the teachers needed to provide a substantial program.

Those statements were made by Dr. James B. Conant, president-emeritus of Harvard, after his two-year study of the American public high school.

Proof, and the remedy, are to be found here in Davis County.

In 1959 the voters of Davis County went to the polls and overwhelmingly approved a school district reorganization plan that combined 62 separate school districts into one.

ABOLISHED 55

The vote abolished 55 one-room schools. It also abolished the Troy and Pulaski High Schools.

That September, 50 boys and girls from Troy and Pulaski enrolled in Bloomfield High School, and suddenly a wide and wonderful world began to unfold.

Now they could study a foreign language, take a fourth year of English, and schedule courses in physics, chemistry, trigonometry, economics, sociology, geography, advanced civics, shorthand—even driver education.

All these had been denied them in Pulaski, population 389, and Troy, population 394, because the high schools there were too small.

During the 1960-61 school year, its last year in existence, Pulaski high had 48 students and four full-time teachers. Troy had 25 students and three full-time teachers. Each also had a part-time music instructor and a superintendent who taught American history and supervised the study hall two periods a day.

NATIONAL IN SCOPE

This isn't just an Iowa problem, it is national in scope. Only in California and New Jersey do 90 per cent of the high school seniors attend schools which are large enough by accepted standards.

The problem is particularly severe in such states with scattered populations as Arkansas, Kentucky, Kansas, Louisiana, Nebraska, Mississippi, North Carolina, North Dakota, Oklahoma, South Dakota, Vermont and Wyoming. In these states, 9 out of 10 high schools have fewer than 100 students in the graduating claess.

Bloomfield, the county seat of Davis County, has a population of about 2,700. Bloomfield High graduated 115 of its 517 students in June, 1960, 130 of its 568 students last June, and expects to graduate nearly 150 of its 618 students this school year.

This is not yet ideal, as school Supt. F. N. Reppe acknowledges. With more students he could hire more teachers and offer more courses.

LIMITED RURALS

Still, there are limits to what you can do in rural areas, and the Davis County Community School District now takes in virtually the entire county, measuring 24 miles by 21.

In recent years Iowa has led the nation in reorganizing and consolidating its school districts and in eliminating the too-small give up their high schools, no high school.

Nationally there are nearly 40,000 separate school boards. The President's Commission on National Goals says this number should be reduced to not more than 10,000 by 1970.

This is a large order, and it won't be easily achieved.

Small towns are reluctant to give up their high schools, no matter how inefficient they might be. Consolidation, such as that now going on in Iowa, nearly always means an increase in taxes in rural areas. There also is a fear of losing local control of the schools and a loss of business to local merchants.

Last February representatives of small towns all over Iowa gathered in Des Moines. They urged the State Legislature to curb the power of the State Board of Education, which has been using considerable legal pressure to force school district reorganization.

Attends Speech Hearing Convention



MRS. ESTES

Mrs. Irma Estes, speech therapist in the Des Moines public school system, was among delegates attending the 37th annual American Speech Hearing Association convention with headquarters at the Sherman hotel.

Mrs. Estes remarked, "The convention affords the opportunity to attend an oustanding program of sectional meetings designed for professional workers in speech pathology and audiology as well as the chance to visit speech hearing, and guidance clinics in the Greater Chicago area.

"In addition," she continued, "I have enjoyed the unexcelled opportunity of seeing and chatting with some of my former mentors and colleagues. Several other therapists from the Des Moines area also attended the convention.

In private life Mrs. Estes is the wife of Mr. John M. Estes, Sr. They make their home at 3500 27th street.

Democracy In Practice

Kansas Town Hires Negro Teacher For White School

Journal and Guide p.1 Sec. 2

Sat. 10-21-61

HAMLIN, Kans.— (ANP) — This small, all-white community, located in Brown county, Kans., is demonstrating to the rest of the nation and the world at large that democracy carries much more meaning when practiced instead of just preached.

Hamlin's democratic attitude is being displayed through its acceptance of a Negro teacher, Miss Bettye Doris Kimble, of Tulsa, Okla. Miss Kimble recently assumed her duties as music instructor at an all-white school and has been selected sponsor of the freshman class.

MISS KIMBLE, a product of the Tulsa public schools, attended Central State College in Wilberforce, Ohio, and completed her undergraduate work at Tulsa University with a degree in music education. She was an instructor in Sapulpa, Okla., for two years before accepting the position she now holds.

While attending Booker T. Washington high school, Miss Kimble took an active part in the YWCA, Y-Teens, chorus, band and other student body activities. Hi-Jinks, a high school spectacular, under the direction of Mrs. Carrie Person Neeley, found Miss Kimble among those with leading roles. She also took an active part in presentations of the Messiah.

AT CENTRAL State College she was a member of the chorus, band and one of the few freshmen girls selected to membership in the traveling Choral Ensemble, Miss Kimble was also a special guest soloist on campus and in Cleveland with an interracial group that presented the Messiah. In addition she was a pianist and vocalist for the Collegians, a small musical combo.

Tulsa University was a continuation of voice and piano under the guidance of Dean Albert Lukken. She was also a member of the Hestwood choir. Miss Kimble is noted most as director of choirs and instructor of piano in her own studio

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KENTUCKY

Negroes Ask Dismissal Of School Board Reply

The Courier-Journal
Louisville, Ky.

By The Associated Press

Lexington, Ky., Jan. 18.—A motion seeking dismissal of a reply to an integration suit against the Knox County Board of Education at Barbourville was filed in Federal District Court Wednesday.

The integration suit, listing 25 Negro children as plaintiffs, was filed at London in October and amended in November.

It names as defendants Jessee Lay, superintendent of the Knox County board, and individual board members.

The board filed a reply December 29 saying none of the Negro children had sought admission to the all-white school, but added they would be admitted if they applied and met standard qualifications.

It said none of its schools practiced segregation.

The reply asked for dismissal of the suit.

District Integrated

James Crumlin, Louisville, attorney for the National Association for The Advancement of Colored People, asked for dismissal of the reply on the grounds that it was not filed within 20 days after the board received notice of the suit.

The board reply said only one school in its system now has racially mixed classes.

The Rosenwald school for elementary and high school students is maintained for Negro children in the County system.

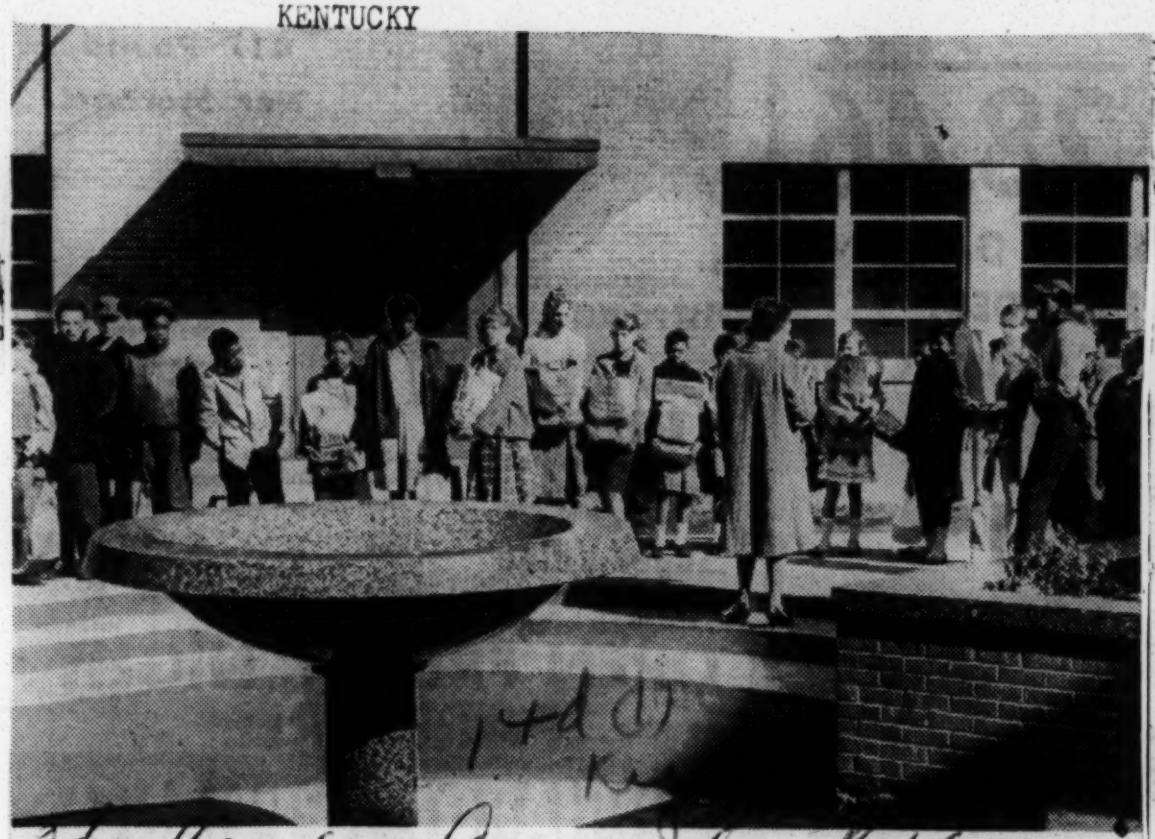
The Barbourville Independent School District is integrated.

The motion was taken under consideration by Judge H. Church Ford.

Court officials said if the reply is dismissed, the plaintiffs could file a motion asking for a default judgment.

There also was a possibility no action would be taken on the motion.

If that proves to be the case, the next step would be pretrial conferences and then regular court action on the London docket.



Staff Photo

MOVING DAY came yesterday for pupils at Morris and Douglas schools as they began classes in the new Omer Carmichael Elementary School at Hancock and Walnut. Mrs. Blanche Daugherty, a sixth grade teacher, is showing her class the courtyard with its modern fountain. Children walked to new school carrying their books, paper, and pencils in paper bags. Carmichael's 30 classrooms hold an enrollment of 715.

Full Desegregation Here Within Month Predicted

The Courier-Journal
Louisville, Ky.

Negro Leader Sums Up After Meetings On Racial Mixing In Downtown Places

"We expect the complete desegregation of downtown Louisville within a month."

This is the way a Negro leader summed up the situation yesterday afternoon after emerging from a daylong series of City Hall meetings on the racial integration of stores, restaurants, hotels, and theaters in downtown Louisville.

The comment by Frank Stanley, Jr., chairman of the Nonpartisan Registration Committee, was borne out by others in the closed-door meeting.

'Wonderful Progress'

"Wonderful progress," reported the Rev. Phillip A. Smith, minister of First Unitarian Church, one of the integration leaders.

Mayor Hoblitzell used the same words in summing up his reaction to the meeting between members of his specially picked emergency integration committee and leaders of the Negro community.

No repeat performance of the demonstrations of last week in downtown Louisville is in prospect at the moment, said the Rev. W. J. Hodge, pastor of Fifth Street Baptist Church and president of the Louisville chapter of the National Association for the Advancement of Colored People.

Further Talks Set

Further meetings are to be held each day this week, and it has become evident that the purpose of the discussions is to work out plans for orderly integration of downtown businesses.

Asked what is meant by "orderly integration," one man who had been in the meetings explained that the idea is to avoid any sudden rush of Negroes into heretofore segregated establishments. He explained that in some restaurants that have already been desegregated, Negro customers came in pairs on arrangement and were served at slack periods. Later, they came during rush hours and the number of them was increased.

Shopping Holiday Starts

It seemed probable that desegregation will take place downtown with no announcement of it, at least until it is well under way.

The Negro leaders spent yesterday morning closeted with Roy J. Gardner, executive vice-president of Kaufman's of Kentucky, and Donald A. McLean, treasurer of Stewart Dry Goods Company. Both attended the afternoon meeting with the Mayor's committee and the integrationists.

After the meeting, Stanley said the desegregation "progress" included Kaufman's and Stewart's but was not limited to these stores. The two department stores have not been serving Negroes at their restaurants.

No request was made at the meeting that a general boycott of downtown business by Negroes be lifted. The "shopping holiday" sponsored by the N.A.A.C.P. began yesterday and has been set to last until April 2.

'Boycott' Is Attacked

Negro shoppers were noticeable for their absence in stores along Fourth Street yesterday, although here and there a few were buying.

The shopping holiday was attacked yesterday by Bishop Ewbank Tucker of the African Methodist Episcopal Zion Church. "I don't think we ought to boycott our friends," he said, referring to several downtown establishments that accept Negro patronage.

He said he favored instead a plan of selective buying curbs against those businesses that refuse Negro patronage.

Early Louisville desegregation seen

LOUISVILLE, Ky. — A community leader last week predicted "complete desegregation of downtown Louisville within a month."

Frank Stanley Jr., chairman of the Non - partisan Registration Committee, made the prediction after emerging from a daylong series of City Hall meetings on the racial integration of stores, restaurants, hotels, and theaters in downtown Louisville.

Stanley's comment was borne out by others in the closed - door meeting.

* * *

MAYOR HOBLITZELL used the same words in summing up his reaction to the meeting between members of his specially picked emergency integration committee and leaders of the colored community.

No repeat performance of the demonstrations of two weeks ago in downtown Louisville is in prospect at the moment, said the Rev. W. J. Hodge, pastor of Fifth Street Baptist Church and president of the Louisville chapter of the NAACP.

No request was made at the meeting that a general boycott of downtown business by non-whites be lifted. The "shopping holiday" sponsored by the NAACP began last week and has been set to last until April 2.

Colored shoppers were noticeable for their absence in stores along Fourth Street although here and there a few were buying.

Judge Orders Knox County Integration

Barbourville, Ky. — Judge H. Church Ford of the United States District Court for Eastern Kentucky, ruled at London this wetk hat Knox County Schools must integrate starting with the 1961-62 fall term.

Atty. James A. Crumlin, who represented Knox County parents of Negro students, said the order was "more or less an agreement" since all sides had agreed that the school board didn't have a case.

Anticipating the ruling, the Knox County School Board had already abolished Rosenwald High School, its only segregated school, in a resolution. It stated however, that the elementary Negro pupils would remain segregated because the remaining white schools were already overcrowded.

Judge Ford, however, compelled all the schools to integrate this fall, regardless of conditions. Crumlin had filed the suit on behalf of the Negro parents representing the National Association for the Advancement of Colored People.

The controversy arose over a proposed merger of the integrated Barbourville schools and that of segregated Knox County Schools last fall. The new school district would have been segregated.

The proposal was defeated when three candidates seeking re-election to the school board were defeated. The proposal was then dropped.

Lawsuit Attacks Board In Marion

Would Order High School In East, Bar Hiring Nuns As Teachers

By HUGH MORRIS

The Courier-Journal Bureau

Frankfort, Ky., April 13.—A new lawsuit was filed here Thursday in the 9-year-old Marion County school controversy.

The complaint, filed in Franklin Circuit Court by Lexington attorneys Jesse K. Lewis and John C. Anggelis, seeks a mandatory order to compel the Marion County School Board to build a new regional high school in the eastern section of the county.

The troubles of the Marion County Board of Education have been in the courts since 1952, when a suit was brought to halt the hiring of Roman Catholic sisters as teachers in the public schools there.

Would Integrate Pupils

The Court of Appeals held in this case that it would be a denial of the civil rights of nuns to deny them the right to teach in public schools.

The new suit again raises the issue by questioning the constitutionality of employing Roman Catholic nuns as public-school teachers in Marion County. It asks that Superintendent Hugh C. Spalding and the School Board be permanently enjoined from hiring them.

The suit also asks Franklin Circuit Judge Henry Meigs to order the School Board to integrate the Catholic and Protestant children in the public schools under their control and to restrain the superintendent and board from closing schools on Catholic holidays.

Attacks School Site

The western section of Marion County has a predominantly Roman Catholic population. The eastern section of the county is largely Protestant.

The suit asks the court to void its order in an earlier Marion County school case directing the School Board to build a new regional high school for the eastern section of the county. The County chose a site about a mile east of Lebanon.

The complaint said the site for the regional school is not in the eastern section of Marion County but is in the north-central section and is where the court previously had ordered the construction of a central high school for all of Marion County.

Filed with the suit were two exhibits identified as two bona fide offers to sell property for school purposes.

One property is in Bradfordsville and the other, the suit said, is approximately in the geographical center of the eastern section of the county.

"Either one of the properties would more conveniently benefit and serve the parents and their children residing in the eastern section of Marion County," the petition said.

The suit was filed in behalf of Mr. and Mrs. Clea Courtwright, Walter Hogan, Eddie Hogan, Mr. and Mrs. Raymond Hancock, Melvin Cochran, Mr. and Mrs. George B. Noe, Mr. and Mrs. Robert Gribbins, Mr. and Mrs. James Kirkland and Mr. and Mrs. John T. Kirkland.

Butler Is A Defendant

Named as defendants, besides Superintendent Spalding, were School Board members A. C. Glasscock, J. S. Hughes, C. C. Sims, and Mark Thomas, and State Superintendent of Public Instruction Wendell P. Butler.

The plantiffs state that there are now five high schools in Marion County within six miles of Lebanon, all located in the western half of the county.

Children living in the eastern sector suffer the inconvenience and discomfort of having to travel long distances to attend Lebanon High School, the suit said.

Plaintiffs have been refusing to send their children to Lebanon High School, the suit said, because the parents did not want them influenced by what are called unwholesome, objectionable, and immoral influences there, such as pool-rooms and package-liquor stores.

The suit also asks Circuit Court to enjoin the School Board from transporting Catholic children over much longer distances at public expense to schools taught by Catholic nuns, passing on the way public schools nearest them where nuns do not teach.

Says Order Violated

The complaint noted that the judgment in an earlier Marion County school case prohibits the superintendent and the board from halting school-bus runs on Catholic holidays.

But the School Board and the superintendent have violated this court order, the suit said, by adopting the "subterfuge and device of having so-called teachers meetings on each Catholic holiday. . . ."

The court was asked for an order directing Spalding and his School Board to have teachers' meetings on days and at hours that will not interfere with the conduct of schools in the regular manner provided by State law.

The suit also challenged the right of the School Board to expend its tax funds to employ attorneys to handle its litigation. And it asked that payments to board members for trips to conventions of the National Education Association be recovered.

Schools Due To Integrate At Carrollton

Fall Move Awaiting New Grade Building

Special to The Courier-Journal

Carrollton, Ky., April 21—The City's public schools will be integrated in September, according to Carrollton School Superintendent Robert D. Ison.

The integration of 25 Negro youngsters has awaited construction of the City's new grade school, which is now nearing completion.

All the city's youngsters in the first through sixth grade will be assigned to the new 13-classroom elementary school at Ninth and Hawkins. Junior high and high school students will attend the present facilities located between Fourth and Fifth streets.

Carrollton's Negro students now attend school in the old building across the street from the new elementary school.

Construction of the new wing-type, brick school is complete except for landscaping and installation of a specially designed skylight.

Integration In Kentucky

22,021 Negroes In Mixed Classes

By ALLAN M. TROUT
The Courier-Journal Bureau

Frankfort, Ky., Dec. 13—Kentucky is moving fast, but not fast enough, toward integration in the public schools.

That was the consensus of members Wednesday as Wendell P. Butler, superintendent of public instruction, reported to the State Board of Education the progress of integration since 1955.

The report showed, as of the first month of the 1961-62 term:

Of the 173 districts with biracial population, 126 have integrated.

Of the 1,980 schools in these districts, 405 have mixed classes.

222,602 In Mixed Classes

Of the 466,996 pupils in the 126 integrated districts, 222,602 attend the 405 schools that have integrated. These mixed classes are composed of 200,581 white pupils and 22,021 Negro pupils.

Of the 16,283 teachers in the 126 integrated districts, 8,299 teach in the 405 integrated schools. White teachers number 7,917, and the Negroes number 382.

Expressed in percentages, integration of districts and schools is down two points from last year. Last year, 74.5 percent of the districts were integrated, this year 72.2 percent; last year, 22.7 percent of schools were integrated, this year 20.5 percent.

These decreases are technical, due to the merger of districts, and the consolidation of schools.

Increase Substantial

Expressed in terms of pupils and teachers, however, the increase is substantial, with 5,692 more Negro pupils and 95 more Negro teachers in integrated schools this year than last.

As to Negro pupils in mixed classes, the six-year progression shows: 313, 8,017, 10,897, 16,329, and 22,021.

As to the Negro teachers, the same progression shows: 2,113, 172, 138, 287 and 382.

"It is significant to note," Butler said in the foreward of his report, "that more than half of all Negro pupils are now enrolled in integrated schools, and that almost 100 formerly segregated schools have been closed as a result of integration."

Only 44 school districts have no active plan of integration in operation, Butler noted. "In some cases," he added, "there are valid reasons for this delay, but in others the need for more active leadership in this direction is indicated."

In addition to these 44 districts without a plan, 38 districts have no Negro children of school age.)

Twelve districts entered the integrated column in 1961-62 for the first time. They are the county districts of Bourbon, Clay, Harlan, Laurel, Lee, Lincoln, Livingston, Taylor, and Washington, and the city districts of Carrollton, Paris, and Springfield.

Seven others have adopted a legal plan of integration, but no mixed enrollment has occurred. These are the county districts of Anderson, Calloway, Carlisle, and Nicholas, and the city districts of Central City, Cloverport, and Greenville.

Report Is Discussed

Five districts with mixed classes in the past have none this year. They are the counties of Wolfe, Owsley, Johnson, and Webster, and the city of Lebanon. However, three of these have no Negro children of school age this year—Wolfe, Owsley, and Johnson.

The report pegs Negro children of school age at 52,762, or 7.9 percent of the school census. Of these, 43,000 are classified as members, meaning they go to public school regularly or irregularly. Of the members, the 22,021 in mixed classes comprise 51.3 percent.

The board took no action on the report, but talked it over around the table for half an hour. Discussions focused upon the theme that progress has been good, but not good enough.

Henry E. Pogue, Jr., Fort Thomas, suggested that the State board send a memorandum to holdout districts, reaffirming its 1956 resolution urging wholehearted compliance.

Suggests More Pressure

Butler suggested that the State Department of Education might increase its pressure on segregated districts to come within the law, not only with a formal plan, but with integration in practice.

Mrs. John H. Walls, Louisville, Negro member, suggested that effective pressure might be applied by refusal of the board to tolerate any longer the many all-Negro schools now kept open under emergency ratings.

Butler replied, however, that for the Department of Education to approve expensive plans to upgrade these schools is merely to perpetuate them. Perhaps the quicker and more effective plan, he said, would be to give holdout districts the choice of intergrating or closing substandard all-Negro schools.

Mrs. Walls also made the point that perhaps more progress has been made in the statistics than in practice. She cited two points:

1. Central High School in Louisville has one white pupil and 1,478 Negro pupils, yet the latter are counted in the state-wide total of 22,021 attending mixed classes.

Cental Teachers In Total

2. Negro teachers at Central High number 62 and they, too, are included in the State total of 382 teaching in integrated schools.

In other action, the state board continued two matters to a special meeting February 7:

1. An annexation controversy between the districts of Owensboro and Daviess County as to which will have in its territory the new $3,000,000 building of Texas Gas Transmission. It is in the city of Owensboro, but the County school district.

2. A petition from the Boyle County Development Association asking the board to declare as surplus 25 acres of the 235-acre farm of Kentucky School for the Deaf. This would be the first step in the purchase of the land from the State for development into a subdivision for Negroes displaced by an urban-renewal project in Danville.

In routine action, the board approved 1961-62 budgets of the 209 districts, totaling $191,441,923.

Of that total, $117,782,606 is for salaries in the statewide average of $4,432 for 26,608 teachers, superintendents, supervisors, etc.

Hoblitzell Won't Force Integration; His Committee Dissolves Self; Row Threatens

Mayor Hoblitzell and his emergency integration committee yesterday formally refused to sponsor submission of an antisegregation ordinance to Louisville's Board of Aldermen.

The decision brought from the Negro steering committee which requested the ordinance an immediate threat of city-wide demonstrations against segregation in restaurants, theaters, hotels, and motels.

The day was further marked by the decision of the emergency integration committee, made up of prominent white civic leaders, to dissolve itself.

Causes Further Concern

This caused further concern to the steering committee.

But it was the refusal of the Mayor and his committee to sponsor introduction of the ordinance at last night's meeting of the Board of Aldermen that caused the greatest concern to the Negro leaders.

It was obvious, however, that the Negro group had expected the refusal for it had come to the joint meeting with the Mayor's group with a perpared statement which declared, in part:

"Mayor Hoblitzell has refused to introduce the strongest link between man and freedom—law. . . (He) has left the door open for city-wide demonstrations."

Request Filed May 17

The request for the ordinance, which would make it illegal for restaurants, theaters, and hotels to refuse to serve Negroes anywhere in the city, was filed with the Mayor's Committee May 17.

The request climaxed week's of negotiations and demonstrations which had been centered on businesses in the downtown area. As a result of the negotiations and demonstrations, nearly all downtown restaurants and theaters have desegregated.

The Mayor's committee, in a lengthy statement tracing the progress of the drive for integration of public accommodations here, cited these reasons for its refusal to sponsor introduction of the Negroes' proposed antisegregation ordinance:

1. Although the committee has been willing to try to persuade owners of restaurants and theaters to desegregate "it is not willing to use its influence to force integration upon anyone."

2. There is no assurance that the City ordinance would bring about true integration without some enabling or complementing State legislation.

Further, "forced desegregation almost certainly would result in interracial tension and ill feeling and would leave scars that could not be erased for at least a generation."

3. Adoption and enforcement of an ordinance that would cover only the city "in effect, would set Louisville off from the larger community of which it is a part."

'A Divisive Force'

The Mayor's committee emphasized, "The problem of integration transcends accidental and artificial boundaries. . . . Sociologically and economically, Louisville is inextricably linked with the rest of Jefferson County. . . . Under these circumstances, a Louisville antisegregation law would constitute a new and powerful divisive force between Louisville and the rest of Jefferson County. . . ."

Leaders of the Negro group said the refusal of the Mayor and his committee to sponsor the proposed ordinance will not end the matter. "We are going to continue to fight for an antisegregation ordinance in Louisville. . . . We will go directly to the aldermen or wherever else is necessary," said attorney J. Earl Dearing, a member of the Negro steering committee.

May Seek State Statute

There is also a probability that the 1962 General Assembly will be asked to approve a state-wide antisegregation law covering places of public accommodation.

"Such a law has been proposed at every session of the Legislature in recent years, and I don't see where the 1962 session whould be any exception," Dearing said.

To the Rev. W. J. Hodge,

president of the Louisville chapter of the National Association for The Advancement of Colored People and a member of the steering committee, "one of the most disturbing things about this is the dissolving of the Mayor's committee."

Mayor Disappointed

"It raises the problem of communication, for it leaves us without an official agency available in this area," Hodge said.

The committee's dissolution also was a disappointment to Hoblitzell. "There had been some talk about it, but I didn't know it was actually going to take place until this afternoon," he said. He said he had no alternative but to accept the committee's decision.

The committee was established February 23, primarily at the request of Governor Combs and Lieutenant Governor Wilson Wyatt. It has not regularly, both separately and jointly with the Negro integration committee.

Says No Emergency Exists

Almost at the outset the committee put itself on record as believing integration of business activities "is morally right and economically expedient and inevitable."

In its statement the committee noted that it was set up to hlep cope with an emergency arising from efforts of Negroes to end segregation in downtown establishments. That emergency no longer exists and "we therefore feel that our effectiveness and purpose as a committee is at an end," said the statement.

Fears Discounted

Hoblitzell discounted the Negroes' fears that there no longer will be an official agency to serve as a link between the City Administration and the Negro community. "There will be some sort of a committee," he said. "We may be able to call on the committee of clergymen who formerly handled race-relations matters for us. Or we may be able to call in the State's new Human Relations Commission."

Members of the Mayor's emergency committee were John Acree, Thomas C. Ballantine, Barry Bingham, Archibald Cochran, William P. Harrison, John Hennessy, Henning Hilliard, George Norton, Henry Offutt, and Dillman Rash.

4 New Orleans Schools Tabbed For Integration

NEW ORLEANS (AP) — The Orleans Parish school board Monday named four more schools that could be integrated this fall during a meeting marked by sharp exchanges between segregation leader Emile Wagner Jr., and other board members.

Wagner, an elected member of the board, attended his first session in 14 months and accused board president Louis Riecke Sr., and other members of "a conspiracy."

Riecke said additional schools eligible for desegration this fall were Judah Benjamin, Lusher, McDonogh No. 11 and Andrew Wilson, in addition to McDonogh No. 19.

McDonogh No. 19 was integrated by federal court order last year, but white parents withdrew their children and except for one or two instances, only three Negro children attended classes there.

LESS THAN 10

The number of Negro pupils was "less than 10."

Riecke said he called the news conference to "clear the air" over some statements attributed to Wagner in newspapers over the weekend. Riecke said Wagner accused the board of withholding the names of schools up for desegregation and the number of Negro pupils involved.

Wagner said the board was guilty of "a conspiracy" by withholding such information from the public.

"If you had released such information," Wagner said, "parents involved could have made plans to send their children elsewhere."

The board, Wagner said, had no legal basis for its action in making additional schools eligible for desegregated classes.

"What you are doing, you are doing on your own," he said, his face reddening and his voice rising.

Board attorney Samuel Rosenberg told Wagner the board is acting under court order, and using the pupil placement plan as interpreted by the courts.

TOTAL INTEGRATION

"The courts at any time," Rosenberg said, "can declare the pupil placement plan unconstitutional. What the board is trying to do is to stay within the constitutional interpretation."

The way the board is using the plan, Wagner said, will mean total integration in the public schools in a few years.

Wagner challenged Riecke and the other board members to waive all requirements for a recall election "and stand before the people to see which way they want—yours or mine."

Southerland fired back at Wagner and said he had stood for reelection "since making my stand known on the schools and I was re-elected."

Riecke and Rittiner suggested that Wagner attended Monday's session because of the surrounding publicity. Newsmen, photographers, television cameras and microphones filled the small conference room.

THREE JUDGES HEAR SCHOOL CLOSING CASE

NEW ORLEANS (AP) — A federal court battle involving tiny St. Helena Parish and the constitutionality of closing public schools rather than accept integration opens in New Orleans today.

Three federal judges will hear oral arguments challenging an election last spring in which St. Helena Parish voters decided to close public schools rather than comply to a federal court order to desegregate the schools.

The National Association for the Advancement of Colored People challenged the vote and the case moved into federal court.

Legal Batteries Clash On Mixing

Panel Of U.S. Judges Hears Arguments In Louisiana School Case

By The Associated Press

NEW ORLEANS, Aug. 4.—Louisiana Attorney General Jack Gremillion told three Federal judges Friday if they decide against the state in a school segregation case, "then you better get ready to get into the business of running a school system."

Judge John Minor Wisdom of the United States Fifth Circuit Court of Appeals and Federal District Judges Herbert Christenberry and J. Skelly Wright listened to oral arguments for nearly three hours, then took the case under advisement. The court allowed 10 days for supplemental briefs.

The case involves rural St. Helena Parish, about 60 miles north of New Orleans, and the decision of its voters last spring to close public schools rather than desegregate them.

Judge Wright some months ago ordered desegregation of St. Helena schools, but set no date.

An act passed by the Louisiana Legislature last year in an extraordinary session permitted local school boards and the electorate of individual parishes to close public schools. In their place would be private, segregated schools with pupils drawing grants-in-aid from the state.

Legal Platoon

Gremillion led a troop of attorneys representing Louisiana. Deputy Asst. Atty. Gen. E. Freeman Leverett of Georgia and Asst. Atty. Gen. Gordon Madison of Alabama also acted as Gremillion's advisors.

Negro attorney A. P. Tureaud Sr. of New Orleans, and Jack Greenberg, a white attorney from NAACP headquarters in New York, headed the opposition.

United States Atty. M. Hepburn Many represented the government, invited as a "friend of the court" into the case.

Greenberg argued that the law permitting the closing of schools was unconstitutional on its face.

Judge Wisdom, his glasses perched high on his forehead, took issue with Greenberg when the New Yorker inferred the state had a "substantial burden" to furnish public education.

The case attacked the law as unconstitutional in that it denied equal protection of the law to those in the local areas and denied them due process of law.

Gremillion and other state attorneys blasted back at this notion, claiming public education is a privilege and not a right. It is in the state's domain, they said, to substitute private schools for the public school system "as long as we treat everyone alike."

Just Supervisory

State attorneys also maintained that education at the local (parish or city) level is not a function of the state. The state, they said, merely acts in a supervisory capacity.

Schools, teachers salaries and other school items, they said, come from taxes authorized by the local electorate.

In his preface argument, Gremillion told the court that if the tribunal holds "that a state must furnish public education by the method of a public school system, then it would be setting itself up as supervisors or administrators of such a state."

The court, he added, would be powerless to impose taxes or raise other money to operate such a system.

"For the court to undertake this function," he said, "would result in a hopeless situation."

Gremillion Tells Federal Judges They'll Run Schools

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Louisiana Racial Bars Held Legally Worthless

WASHINGTON (AP) — The Supreme Court Monday rejected three more appeals seeking to block public school integration in New Orleans.

The court summarily affirmed a decision by a special three-judge federal tribunal in New Orleans that creation of a new school board by the Louisiana Legislature in 1960 was an unconstitutional act.

The action was the fourth since Dec. 1960 in which the justices have rejected Louisiana's efforts to put off school desegregation.

In the course of disposing of the state's appeals, the high court once took occasion to tell Louisiana that its various devices, including interposition, were legally worthless.

One appeal acted on Monday was filed by members of an Orleans Parish school board which was set up by a third extraordinary session of the state legislature. The appeal contended the special federal court had no jurisdiction to consider the action of the legislature.

The appeal also protested action of the special court in asking the U.S. Attorney for eastern Louisiana to appear in the case as a "friend of the court." The attorney appeared and was granted an injunction barring the new school board members from assuming office.

SECOND APPEAL

A second appeal turned down was filed by counsel for the Louisiana legislature. This appeal likewise questioned authority of the special court to act as it did. The appeal stated:

"This proceeding raises questions of great importance respecting the power of the United States to interfere with and control state legislative and executive action respecting matters within the exclusive jurisdiction of a state government, on the mere conjecture that such action will in some unspecified way obstruct the due administration of justice by a U.S. court."

The third appeal was filed by the treasurer, the state comptroller and other officials of Louisiana.

In each instance the Supreme Court in brief orders affirmed the special tribunal decision in the Louisiana litigation.

Helena Hearings Ordered Resumed

NEW ORLEANS (AP)—A three-judge federal court Wednesday ordered resumption of oral arguments in the St. Helena Parish, La., school desegregation case on Aug. 4.

The judges also extended until Aug. 4 the deadline for filing of briefs by state attorneys general in the case.

The court held hearings in mid-April on the St. Helena matter but made no decision at that time.

FILE BRIEFS

The court then asked the attorneys general to file "friend of the court" briefs in the case. So far 13 attorneys general have filed their opinions.

The Federal government earlier this week also filed a "friend of the court" brief in the matter, maintaining that the states have a constitutional requirement to maintain public education.

The court asked for opinions from the chief legal officers of the various states concerning the closing of public schools.

UNDER COURT ORDERS

St. Helena parish, under federal court orders to desegregate its schools, has voted overwhelmingly to shut its public education system.

The three-judge court has under advisement an attack by the National Association for the Advancement of Colored People on the constitutionality of the state law which authorized referenda on closing schools.

The parish, with a population about 10,000, has not been given a deadline for integration. Legal proceedings to desegregate the tiny parish's schools started in 1952.

U. S. court to hear N. O. school case

NEW ORLEANS, March 30—(AP)—A special three-judge federal court on April 7 will hear arguments on a move to prohibit the St. Helena Parish school board from holding an election aimed at preventing school integration.

U. S. Dist. Judge J. Skelly Wright yesterday ordered the hearing.

Negro Attorney A. P. Tureau of New Orleans, chief counsel for the National Assn. for the Advancement of Colored People and lawyer for the Negro plaintiffs in the St. Helena case, asked an injunction to stop the election.

The school board set an April 22 election to let voters determine whether they would rather see public schools closed or integrated.

build a private, segregated school here for "our dispossessed children."

Mixed School Is Picketed

NEW ORLEANS, June 1 (UPI)—About 100 peaceful white pickets, many of them children, marched around desegregated William Frantz Elementary School today with signs charging they were "dispossessed."

Armand Duvio, leader of the picketing and president of the Ninth Ward Private School Assn., said more picketing was planned next week.

"We're doing this to show that we feel just as strongly about this as we did the day the schools were integrated," Duvio said.

The Frantz school and McDonogh 19 school were desegregated by Federal Court decree last Nov. 14. More than 1000 children, some of whom picketed today, are boycotting the two schools and attending segregated classes in nearby St. Bernard Parish.

Duvio said he hoped today's demonstration would prompt people to contribute to his Ninth Ward group's drive for $300,000 to

14d(1) 1961

LOUISIANA

LA. ANTI-MIX LAWS UPSET

Acts 3 and 5 Are Declared Unconstitutional

A three-judge federal court Thursday knocked out two state laws aimed at halting desegregation of schools in Louisiana.

Declared unconstitutional were Acts 3 and 5 of the second extra session of the state Legislature this year.

A temporary injunction restraining the enforcement of the two acts was signed by Judge Richard T. Rives of the US Court of Appeals, and federal district Judges Herbert W. Christenberry and J. Skelly Wright.

The court said the two measures were "designed to subvert the effective desegregation of the New Orleans schools and thwart the implementation of the orders of this court looking to that end."

ENFORCEMENT BARRED

The injunction comes in the long-standing Earl Benjamin Bush et al case, who are plaintiffs. The Orleans parish school board et al are the defendants.

The US attorney's office represents the federal government, amicus curiae.

By the injunction order, the governor of Louisiana, the state attorney general, other state officials, city officials and all their representatives are prohibited from enforcing Acts 3 and 5.

Of these two acts, the court said:

"Act 3 purports to create a new crime entitled 'bribery of parents of school children.' It punishes giving to, or acceptance by, any parent of 'anything of apparent present or prospective value' as an 'inducement' to sending his child to a school operated 'in violation of any law of this state.'

"The companion crime announced by Act 5 is labeled 'intimidation and interference in the operation of schools.'

ADMISSION POINTED OUT

"Here, in rather strange language, the conduct condemned is 'the offering to do or doing of any act . . . to' a child or parent, teacher or other school employe, which may influence that person 'to do or perform any act in violation of any law of this state.' Both statutes grant immunity from prosecution and promise a monetary reward to informers.

"With commendable frankness, Louisiana's attorney general admits that these enactments are probably invalid, being too vague and indefinite to define a crime. But he insists that this is neither the time nor the place to challenge them.

"He would prefer the test to come in a state court after an accused has been arrested, held and charged under authority of the statutes here assailed. Such a person, he argues, would have a better standing to contest the constitutionality of these measures, and, since a ruling striking them down can confidently be predicted from the Louisiana courts, we are urged to spare ourselves this unnecessary chore."

'MISSION ALL TOO CLEAR'

The court said that the challenged statutes are not ordinary criminal provisions, but they constitute special legislation, passed as emergency measures.

"Placed in context, their mission is all too clear," stated the court. "These are the invidious weapons of a state administration dedicated to scuttling the modest program of desegregation which has been initiated in Orleans parish. The plain intent of the measures is to publish a threat of imprisonment against all who would have any dealings with an integrated school.

"Whether or not prosecution is ever attempted under these provisions, the obvious hope of the sponsors is that the mere promulgation of the statutes will accomplish the desired end. Thus, the effect is immediate. The harm has already begun. In these circumstances, there can be no question of postponing decision.

CIRCUMVENTION TRY SEEN

"Nor can there be any doubt as to the unconstitutionality of these acts. They are revealed as but another effort to circumvent the orders of the court issued pursuant to the mandate of Brown vs. Board of Education, 347 U.S. 483. Constitutionally unable to require racial segregation in the public schools, arrested in its plan to close the integrated schools and unsuccessful in its boycott of these schools by other means, the state has now marshalled the full force of its criminal law to enforce its social philosophy through the policeman's club.

"It is argued, however, that we read too much in the statutes. We are told that these laws have no connection with segregation; that the reference to schools operated 'in violation of any law of this state' does not mean desegregated schools. It cannot be, so the argument goes because this court has voided all laws requiring or permitting segregation o fthe races in public education.

"Of course, the circumstances under which these measures were adopted belie any such claim of innocence. The Legislature clearly wants parents and teachers, and other interested persons, to understand that they will be punished if they hame any contact with an integrated school. Yet, it would play tricks with the court and pretend it had meant nothing of the kind."

The court said that in the acts of the first extra session of 1960 providing for the closure or boycott of desegregated schools, the euphemism "operated contrary to the constitution and laws of this state" was used to describe the offending facilities.

LEGISLATURE RESISTS

"There was no doubt then what was intended, and there can be less now after the constant reiteration of that chant," asserted the court. "It is true these statutes were voided on Nov. 30, 1960, but the Legislature did not acquiesce in this ruling. On the contrary, shortly after the decision, it solemnly proclaimed that: 'the public policy of the State of Louisiana, as expressed and declared . . . is hereby reaffirmed and again declared to be the public policy of the State of Louisiana.

"Nor is this all. Twice during the second extraordinary session of 1960 the Legislature commended parents who had withdrawn their children from the two desegregated schools of New Orleans, specifically declaring that they were thereby demonstrating their will to support the constitution and laws of this state.'

"Similarly, in a later resolution defending its own officers cited for contempt refusing to authorize payments 'would have been in violation of the constitution and laws of the State of Louisiana.'

"And finally, during the very session at which the statutes in suit were passed, the Legislature formally proclaimed in view that the two desegregate schools of New Orleans wer 'operating in violation of th provisions and principles of th state constitution and laws.'

"The subterfuge will not ava Unmasked for what they ar Acts 3 and 5 are unconstitutio al on their face and must be joined."

Court kills more laws

NEW ORLEANS — Louisiana's "informer laws," enacted by the second special session of the Legislature to aid in blocking integration of public schools, were declared unConstitutional Thursday by a three - judge federal court.

A temporary injunction was granted to restrain enforcement of Acts 3 and 5 of the special session.

Act 3 barred a parent from giving or accepting anything of value as an inducement for sending a child to school operated in violation of any law of the state.

Act 5 prohibited doing anything to a child, parent, teacher or other school employee to influence that person to violate any law of the state.

Both laws granted immunity from prosecution and promised monetary rewards to informers.

THE INJUNCTION was signed by Judge Richard T. Rives of the 5th Circuit Court of Appeals and U.S. District Judges Herbert W. Christenberry and J. Skelly Wright.

The court said the two laws were "designed to subvert the effective desegregation of the New Orleans schools and thwart the implementation of the orders of this court looking to that end."

The court pointed out that the Legislature clearly wanted parents, teachers and other interested persons to understand that they would be punished for any contact with an integrated school.

Shift To Private School Planned

Jackson Daily News
Jackson, Miss.
Dat. 3-6-61

NEW ORLEANS (AP) — The stage is set for a massive shift to private schools throughout most areas of New Orleans — if integration is attempted.

The Associated Press learned Saturday that parents of 58 different public schools have obtained co-operative charters from the state.

None of the co-operative groups however, plan to open private schools this fall unless integration strikes their area.

But, the Ninth Ward Private School Association expects to open its school for children of the William Frantz and McDonogh No. 19 public elementary schools. These two schools were integrated last fall.

The Ninth Ward group is privately incorporated under articles filed with the Secretary of State, a shift from the original co-operative charter.

It is possible the validity of Louisiana's co-operative charters may be challenged legally.

One problem to be solved by the private school groups is the matter of school lunches. Free lunches — normally given with federal money — will not be available to the private groups.

Armand Duvio, head of the Ninth Ward association, said his people will set up a "freedom barricade" in St. Bernard Parish Saturday to raise money. Similar fund raising is scheduled May 12, 13 and 14 in Shreveport and Bossier City.

It is hoped to conduct such campaigns, also, in Monroe, Baton Rouge and some areas of Mississippi, Duvio said.

The move to private schools under threat of integration is not confined to one area of New Orleans, a reliable source said. Co-op charters have been granted to groups in Lakeview, Gentilly, and Carrollton sections, as well as the Ninth Ward area.

New Orleans Loses Appeal on Schools

The Atlanta Constitution
Atlanta, Ga. Jues 5-9-61

WASHINGTON (AP)—The Supreme Court rebuffed Monday still another effort to block public school desegregation in New Orleans.

The city of New Orleans filed the latest of a long line of anti-desegregation appeals to be rejected by the court.

The city had asked the court to overrule a three-judge federal court decision holding invalid state laws seeking to give the state legislature control of the New Orleans schools and denying funds to the elected school board to operate the schools.

In an 11-word unsigned order, the court Monday affirmed the lower court.

The school board, through counsel, noted that the city's appeal was from the same opinion of the lower court from which an appeal had been taken earlier by the Louisiana Legislature. In that appeal the court on May 20 affirmed the action of the lower court.

Still pending from the same order is an appeal by the Orleans Parish School Board which the legislature created and sought to put in charge of the New Orleans schools.

In another action Monday, the court agreed to hear the appeal of the president of the Miami branch of the National Association for the Advancement of Colored People, who was convicted of contempt of court in Florida.

The conviction of Theodore R. Gibson grew out of his refusal to provide a list of the Miami branch's members to the Florida legislative investigating committee. He was sentenced to six months in jail and fined $1,200.

The appeal will not be heard until next fall.

Pupils Take First Step Toward Using U.S. Court Order

Atlanta Daily World
Atlanta, Ga.
Dates 5-2-61

One hundred and eleven Negro high school students Monday took the first step toward the historic desegregation of Atlanta's public schools.

The students, 10th and 11th graders, obtained application forms at the board of education offices to request reassignment next fall to now white schools under the city's court-approved pupil placement plan.

The students arrived in mass after classes ended for the day in scores of cars gathered by local NAACP and Negro church leaders.

Except for a few youngsters who went to the board offices before schools opened this morning, the students refused to identify themselves and, in some cases, hid their heads when photographers showed up. A spokesman, who said he was asked by many parents to represent the children, withheld the students' identities for fear of "intimidation."

Monday was the first day under the plan for students for their parents to obtain transfer applications forms. Under the plan, approved last year by Federal Judge Frank A. Hooper, the forms must be completed, notorized and turned in to the students' present school principal before May 16.

The applications will then be studied by the board, and assignment must be made before June 15 in order to allow enough time for any possible appeals.

Deputy school superintendent, R. W. Stevens said grounds for reassignment from a Negro school to an all-white school include proximity to the child's home, the student's desire for certain courses which may be offered in only a few schools and transportation factors such as a school near a parent's place of work.

The plan will go into operation affecting only students now in the 10th and 11th grades. The classes to be integrated will then progress down to the primary grades on a yearly basis.

Georgia's first classroom integration came several months ago when a Federal Court ordered two Negroes admitted to the University of Georgia.

Stevens said a majority of the white students and their parents in Atlanta "are willing, generally, to have some integration, if necessary to maintain public education."

Erma Lee Williams, Annie Ruth Dennis, both 11th graders, and Norene Colvie, a 10th grade student, obtained the first application blanks Monday. They said they wanted to transfer to white schools because the schools were closer and would "save on transportation."

May Close Schools

The Pittsburgh Courier
Pittsburgh, Pa.

Louisiana Enacts Stool-Pigeon Law

Dat. 3-4-61

BATON ROUGE — The State Legislature, last week, in its fifth session to prevent public school desegregation, laid the groundwork for destroying public education.

It adopted an "option" law, which decides whether the voters or the state will kill the school system, and it enacted a new "Judas" statute, which places a price on the heads of integrationists.

Bills signed by the governor as "key" measures in Louisiana's fight against school integration included:

H. 1. Authorize local school boards to suspend or close public school systems after voters approve closure in election.

H. 2. Makes it a crime to bribe or offer to bribe parent or guardian to permit child to attend school in violation of state law, providing fines be given to informer, who gives evidence resulting in conviction.

H. 3. Authorize private educational cooperatives to make contracts with teachers at least five but not more than ten years, guaranteeing teachers their current pay scales.

H. 4. Define crime of intimidation or interference in operation of public schools, providing fines be paid to informers, who give information resulting in conviction, giving informer immunity and setting jail sentence.

The so-called Louisiana "optional" school closure plan would allow voters to decide whether schools would be closed if integrated or kept open even with "token" integration.

■

THIS DECISION, in fact, would be whether the schools would be closed suddenly or whether they would be closed slowly and painfully, since the state law prohibits allocating funds to integrated schools.

Thus, the optional plan gives voters the choice of closing the schools themselves or allowing the educational system to die for lack of funds.

When this fact was pointed out to one legislator, and it was explained to him that it was unlike the Georgia optional plan, he remarked, "This is not a Georgia plan; this is not a Virginia plan; this is a Louisiana plan."

■

DURING A State Senate Committee hearing on the measures, fines collected from persons convicted of the two new "crimes" - desegregated schools or interference with

Private Schools May Be Necessary, Say Mothers

Group Voices Fears of Integrated Education

A group of New Orleans mothers stated in a full page advertisement that people eventually may have to make sacrifices to support a private school system.

The Committee of Mothers for Their Children, dedicated to school segregation, said:

"If the federal government persists in using force to control and destroy our public school system, our people will have to make the sacrifices necessary to support and operate private schools for their children—because the Washington school situation proves absolutely that our white children cannot get an education in forced racially integrated public schools."

CITE WASHINGTON SCHOOL

The group cited the Kingsmar public school in Washington, D. C. which was a segregated school before 1954. The group said the school now has "1053 Negro children and only 16 white children."

Said the group, "So, why all this misguided propaganda about 'Keep our public schools open'—for whom?"

It added: "The time has come for the reasonable men and women of Louisiana and of the USA to express their views and to assume positions of leadership in this critical social, educational and national survival problem in order that unity may be restored to our people."

People of each parish, said the group, "in accordance with the democratic concept of local self government, should be free to determine the basis on which their schools should be operated without the unlawful interference of the federal courts, based upon the U. S. supreme court's Black Monday decision founded upon sociological writings and a flat rejection of the 14th amendment and all prior court decisions."

U. S. RIGHT CHALLENGED

"We believe that public education is reserved to the states and there is no provision in the U. S. Constitution which gives the federal courts any right or authority to control the operation of our schools, or which gives the executive the right to use the country's armed forces to coerce our people into forced racial integration."

In a foreword to its declaration of principles, the group said it realizes that "education and constitutional government in Louisiana and the USA must be preserved; that government under law must be maintained against tyranny and usurpation of ungranted powers, or else our liberties and freedom and American way of life are doomed . . ."

It added: "Beware of all this propaganda about accepting forced racial integration, or this unlawful Communist regimentation with 'peace and dignity'—Peace' is the false Communist line. The cry of 'dignity' is a sham for cowardice."

The group gave its address as P. O. Box 899, New Orleans.

ATTACK OPENED ON PUPIL GRANTS

Tureaud Seeks Assistance for Daughters

By JAMES M'LEAN

BATON ROUGE, La. (AP) — A Louisiana Negro attorney said first move to attack the state's grants in aid under present law for private school students.

Saturday he was making the Atty. A. P. Tureaud Sr., chief Louisiana counsel for the National Association for Advancement of Colored People, has twin daughters, both 16, attending a private, parochial school for Negroes, Xavier Preparatory school in New Orleans.

He applied to the Orleans parish school board for grants in aid for the twins, the attorney said.

Half a dozen white public schools have been desegregated in New Orleans this year without strife.

A state grants in aid program was established several months ago to help students have a "freedom of choice" to go to private, segregated, nonsectarian schools.

MAJOR RULE

Tureaud has played a major role in just about every major Negro attack on segregation laws in Louisiana, including the long, bitter New Orleans public school case.

"I don't agree," Tureaud said, "that the state's grants in aid shoul dapply only to nonsectarian schools.

"I'm opposed to the state spending any money for private school education and denying it to others. If they want to give it to private schools, they should give it to all, sectarian or nonsectarian."

Tureaud said he was not acting for the NAACP in this instance, but on his own. To questions, however, he said "the NAACP can pick it up, if it wants."

Tureaud hasn't received a reply to his request for grants in aid for his twin daughters, he said. "I suppose the Orleans parish board will have to process the application through the state board of education."

The state education board, under the grants in aid law, supervises the new program which hasn't actually been placed in operation to any extent yet.

CRITICAL EYES

The grants in aid was set up in the five special legislative sessions Gov. Jimmie H. Davis summoned last winter to attempt blocking school desegregation in New Orleans. The law limits the grants to nonsectarian schools.

Tureaud made his move shortly after a three - judge federal court in New Orleans recently ruled the states local option public school closing law was unconstitutional.

In that ruling, the judges cast critical eyes on grants in aid.

Earlier this week, segregation stragetists conferred with Gov. Davis to discuss their recommendations for altering grants in aid. A new proposal aclled for shifting the program away from the state education board — and local public school boards — by placing it under a new agency. Legislative changes woul dbe required, but no move was made for an immediate special session.

Segregation leaders are fully aware of Tureaud's move and what it could mean eventually in a legal test.

Schools Reopen without Rioting

New Or ns Maintains Sanity

NEW ORLEANS — Public schools began their second year of desegregation peacefully and quietly last week as 12 Negro children— eight for the first time—were enrolled at six formerly all-white schools. It was in contrast to last year's noisy, riotous demonstrations.

Last Thursday four second graders resumed classes at two already integrated schools—three at McDonogh 19, and one at William T. Frantz, both were scenes of violent demonstrations last November.

• **IN ADDITION,** the total white boycott of McDonogh 19 was broken last week as six white pupils enrolled.

No United States marshals were used to transport pupils to the desegregated schools, as was the case last year. City police handled details under a carefully worked out plan. Only one reported incident took place —four placard carrying white women were removed from the Frantz School area.

Police had barricaded the areas around the six desegregated schools several hours before classes were scheduled to begin. At night dogs of the police K-9 Corps, along with patrolmen, patrolled the schools' areas.

■

REGISTRATION was rolling along smoothly, according to new Superintendent of Schools O. Perry Walker, a native Orleanian, who succeeded resigned Dr. James Redmond last spring. A breakdown on enrollment at the desegregated schools compared to 1960, showed:

Schools & Locations	Enrollment 1960	1961
Andrew Wilson 3617 Gen. Pershing St.	429	356
Robert Lusher 7315 Willow St.	365	206
McDonogh 11 2009 Palmyra St.	427	175
Judah P. Benjamin 4040 Eagle St.	256	83
William Frantz 3811 N. Galvez St.	566 (at start)	17
McDonogh 19 5909 St. Claude St.	466 (at start)	9

Walker later said he was encouraged at the prevailing peace and felt that by this week enrollment increases at all the schools will be noticed.

■

MAYOR VIC SCHIRO, facing his first integration crisis since taking over from former Mayor deLesseps Morrison last June, said:

"I am most grateful to the people of New Orleans for the manner in which they accepted this mandate of our Federal Government and courts."

Segregationist Emile A. Wagner Jr., rebellious member of the Orleans Parish School Board, extolled white parents to accept the fact that public schools are integrated, but urged them to turn their attention to establishing private schools.

Last-minute appeals for peace in the desegregation period came from City Hall, the school board, business, civic and religious leaders. Unlike last year, police officials this year warned that they would not tolerate any breach of the peace. This time it paid off; alert police work would have paid off last year.

Deputy U. S. Marshals, gathered from various sections of the nation, and stationed at the U. S. Army's Camp Leroy Johnson here, were on hand to assist in keeping the peace.

Parents of the 12 Negro children accompanied them to the schools in private cars and taxicabs.

A total of 66 Negro children had applied for transfers to former all-white schools this year, only 8 were accepted under the state's pupil placement act, currently under fire. Last year 137 Negro pupils applied for transfers, and only five were passed. One later dropped out.

12 Integrated In New Orleans

NEW ORLEANS — (UPI) — A dozen Negro youngsters were peacefully, even pleasantly, settled in six public schools Friday despite a continuing partial integration boycott by white pupils.

The first two days of the city's second year of school desegregation passed without incident. And some of the Negro children were being accorded at least a token measure of social acceptance by white schoolmates.

But at McDonogh 19, totally boycotted by whites last year, a mere handful of white children were attending. The situation was a little better at William Frantz the other school plagued by segregationist demonstrators last winter.

Ruby Nell Bridges, who alone integrated first grade at William Frantz last year and was enrolled in second grade Thursday, was ill Friday and stayed home. But the other 11 Negro pupils were present and on time at five integrated schools.

New Orleans Schools Desegregate Quietly

By WILLIAM JOHNSTON

NEW ORLEANS (UPI)—Twelve Negro boys and girls peacefully entered six integrated public schools Thursday, in marked contrast to the rowdy segregationist demonstrations of last year.

The total white boycott of McDonogh 19 School last year was partially broken. White opening day attendance was down at four newly - integrated schools, but officials predicted enrollment would be normal by Monday when the first full school week begins.

The "cheering squads" of noisy segregationist women which gathered daily at William Frantz and McDonogh 19 Schools last year were gone Thursday. Three Negro girls calmly entered McDonogh 19 to begin the second grade. Two Negro boys went to the school and took their places in the first grade. The girls had been first graders last year, and had the school to themselves due to the white boycott.

WHITE CHILDREN ATTEND

Thursday, one white boy showed up at McDonogh in the morning session. Three more whites, children of Mrs. Marian Rivers, came for the afternoon session. Mrs. Rivers predicted other mothers will be "sending their children here, too."

At William Frantz, 16 whites, one more than last year, entered the school. When they all were inside, Ruby Nell Bridges, a Negro girl, walked in the side door to take her place in the second grade. She had broken the Frantz color line last year as a first grader.

The scene was repeated at McDonogh 11, Wilson, Benjamin and Lusher elementary schools.

DALLAS INTEGRATION CALM

Elsewhere the integration story was the same, generally peaceful.

In Dallas, the second day of integration for 18 Negro first graders was as quiet as the first in all eight integrated schools. At one school there was a bomb scare and police ordered a precautionary fire drill. Nothin happened.

At Chicago, the National sociation for the Advancement of Colored People (NAACP) sa it would seek court orders to rce transfer of 225 Negro chil ren from overcrowded Negro sch ols to predominantly white sch ols which it maintains are under-rolled.

In New Rochelle, N. Y., 7 Negro students were transferred mainly white schools without i cident.

All was calm at Raleigh, N. C. where three Negroes began classes Wednesday at the city's largest high school.

Attendance Increases At 4 New Orleans Schools

NEW ORLEANS (AP)— Attendance rose in four of six New Orleans integrated schools Monday to begin the second week of the second year of desegregation.

Police Supt. Joseph Giarrusso said heavy police patrols, which manned barricades at the six schools, were reduced because of the peace and quiet during the first three days of classes.

A few police officers will stay in the school areas, Giarrusso said, and a reserve force will be available.

Five white pupils attended McDonogh No. 19 Monday compared with six Friday. The student body of 467 walked out after it was integrated last Nov. 14.

Seventeen white students went to William Frantz School Monday, compared with 13 Friday. Only 7 to 23 pupils stayed on after last year's desegregation.

Frantz has one Negro pupil and McDonogh 19 has five. They were the only schools integrated last year.

Among the newly desegregated schools, Lusher had 238 white pupils compared with 227 Friday; McDonogh No. 11, 206-194; Wilson, 371-370; and Benjamin, 68-78.

Lusher has two Negro students; McDonogh No. 11, one; Wilson, one, and Benjamin, two.

U. S. Sues to Prevent School Interference

NEW ORLEANS — The Federal Government has filed suit here in district court to prevent neighboring St. Bernard Parish, stronghold of arch-segregationist Leander H. Perez, from operating segregated schools as long as it continues to accept New Orleans pupils regularly assigned to the Orleans Parish public school.

The action was taken by U. S. Attorney M. Hepburn Many, who was joined by U. S. Atty. Gen. Robert Kennedy.

No date has been set for a hearing on the injunction, but it will be heard by a three-judge court composed of Judges John Minor Wisdom, J. Skelly Wright, and Herbert J. Christenberry.

■

THE GOVERNMENT suit also asks that Louisiana be barred from providing funds to St. Bernard Parish wihch would assist the Perez kingdom in educating New Orleans pupils boycotting desegregated schools.

Kennedy said St. Bernard Parish's efforts to educate white students from desegregated New Orleans public schools is a circumvention of the Federal Court's desegregation order.

Segregationists last year hurriedly set up what is known as Arabi Annex in a community just across the Orleans Parish line in St. Bernard Parish, to take care of white children forced to boycott nearby McDonogh 19, and William Frantz elementary schools.

Some 300 new Orleans white pupils were educated at Arabi Annex, and several hundred more elsewhere in St. Bernard public schools. Already this year some 396 white children are reportedly enrolled there.

SCHOOL MONIES WARRANTS GIVEN

Provides Most Orleans Funds Through June

BY ROBERT WAGNER
(The T-P Staff Correspondent)

BATON ROUGE, La.—State education Supt. Shelby M. Jackson has presented the state comptroller's office with warrants for most of the funds due the Orleans school system through June 30.

The warrants call for the disbursing of over $4.6 million into the "Legislature school account No. 1," a device used to funnel funds into the school system without using the parish school board.

Checks on the legislative school account would be signed by state Rep. Bryan Lehmann, St. Charles parish, chairman of the House appropriations committee.

The warrants were dated Feb. 27, though the money so far has not been made available from the state treasury, which has been operating largely on a hand-to-mouth basis.

WHEN AVAILABLE

State Treasurer A. P. Tugwell said the funds would be forthcoming when available, and "when due."

It was not clear if the funneling of the funds through the legislative school account would be construed by the federal court as within the bounds of the "good faith" asked of Jackson.

A three-judge federal court last week gave Jackson until March 24 to purge himself of civil contempt charges, stemming from his interference with the Orleans school board operations.

A legislative resolution, passed at the fifth special session, directed Jackson to transfer the funds from the state treasury into the legislative school account.

It was understood that Lehmann, in signing checks, would circumvent the school board, though this question has not been full yamplified.

The funds, if made available to the schools system, were expected to provide enough money for operations through the months of March and April, when local revenues were expected to be available.

SEGREGATED SCHOOLS

Members of an eight-man legislative committee, set-up to investigate the school board, said Tuesday Lehmann would make available funds to pay teachers and school employes only at segregated schools.

As a practical matter, this might make little difference, since the school board could pay those at desegregated schools from local revenues, if all the state funds were available for other uses.

The eight-man committee reported Tuesday that sufficient funds would be advanced to the legislative account "in time to meet the March payroll."

Meanwhile, the education department had no response Tuesday on a request from the Orleans school board for some $500,000 in overdue reimbursements.

Jackson was reported ill at home, and others had no comment to make.

The reimbursements were for such programs as adult educaiton, food service department, national defense education act funds, and practical nursing funds.

These funds apparently were on hand within the state education department, since they were not listed among the items for which Jackson has issued warrants on the state treasury.

The warrants, issued through the comptroller, were for amounts as follows:

Per educable, April, May, and June—$1,992,827.

Equalization, April, May, and June—$1,698,093.

Special education funds for crippled children, physically handicapped, mentally retarted, and other exceptional children; and other funds for school children (including national school milk prgram)—$894,919.

CHECKS DRAFTED

In other actions o nthe school front, the eight-man legislative committee, headed by administration leader Rep. Risley Triche, reported that checks for payroll deductions had been drafted.

Handling of school teachers and employes salaries through the Legislature had created serious administrative confusion over payroll deductions for the Orleans schools system.

"The committee was informed by supervisor of public funds J. B. Lancaster that checks to the appropiate payees for which payroll deductions were made had already been drafted. . ." said the group.

The committee reported the checks were in process of being transferred to Rep. Lehmann, for signature and processing.

"These chacks are drawn on legislative school account No. 1, and were to satisfy all payroll deductions for Orleans parish school persnnel."

"The committee determined that this action of payroll deductions was in process of being successfully concluded." The action was directed by the Legislature upon recommendation of New Orleans Rep. Edward F. Lebreton Jr.

At a two-day meeting here, the eight-man committee also passed a resolution, authored by Webster parish Rep Perry Branton, to make a through probe of fiscal operations of the Orleans board.

The resolution stated that Supt. Dr. James Redmond, and the "defunct school board" were operating the school system "with an excessive overheaad budget for administration."

It also stated the Orleans school system was receiving state funds for 152,000 children, whereas 62,000 of these children were actually attending various private schools.

WOULD HAVE OPPOSED

Absent when the resolution was passed were committee members Rep. LeBreton, and Sen. Charles Deichmann, LeBreton said he would have opposed the resolution, if he had been present.

Present were Triche, Sen. E. W. Gravolet, Pointe a la Hache; Branton; Rep. Vail Delony, East Carroll parish, and Sen. William J. Cleveland, Crowley.

The committee also resolved to probe availability of locally trained school teachers in New Orleans, and to investigate the hiring of out-of-state school teachers.

This would be with a view to "making recommendations to the Legislature on proper utilization of locally trained school teachers."

The committee took the action after interviews with John Deer. and Lamar Lowe, representatives of the State Sovereignty Commission.

It was informed that two first grade teachers at the integrated school at William Frantz, and one at McDonogh, had been transferred from Washington, D. C. and Massachusetts.

"Whereas, other teachers in the Orleans parish system transferred from out of state, and whereas this committee feels that it is inadvisable to employ out-of-state teachers, if locally trained teachers are available, be it resolved that the committee investigate certification of employment and certification of teachers in the New Orleans school system."

The committee reportedly plans to hold a meeting in New Orleans in the near future to pursue further its investigation of the school board.

RESOLUTION TEXT

Here was the text of the resolution calling for a probe of the board's fiscal operations:

"Whereas, the Orleans parish public school system receives the following funds for the operation of the New Orleans public schools:

State legislative appropriation for 152,000 children of school age, $8,359,505.

Equalization funds from state of Louisiana, $6,742,372.92.

Louisiana state school lunch fund, $1,124,347.07.

Property tax relief fund (homestead exemption paid by state), $2,023,270.32.

Contributions to employes retirement, $2,039,440.24.

Other state funds, $182,000.

Total state funds, $20,470,935.55.

Various federal funds for school lunch and milk programs, vocational training etc., $458,511.

New Orleans property tax revenues, $10,209,133.90.

"Whereas, the state of Louisiana has been providing funds for the Orleans parish public school system based upon 152,000 children going to public school, when as a matter of fact 62,000 of these children go to various non-sectarian and sectarian private schools at their own expense, and actually 90,000 school children attend the New Orleans public schools; and,

"Whereas, the committee has been informed that the defunct school board members and Superintendent James F. Redmond, held in office by orders of federal court against action of the state Legislature removing them from office, operate the school system with an excessive overhead budget for administration which is even higher than the total administrative cost of the state department of education, which supervises the operation of the public school systems in 64 parishes and three municipal school districts throughout the whole state; and that in addition to the high administrative budget, the defunct Orleans parish school board has spent $30,000 for the employment of a Chicago firm for 'efficiency studies' of the administration of the school system; and that the said defunct board has also employed architects to plan school buildings through 1972; and that they are imprudently spending many thousands of dollars through the media of television and radio on the dissemination of material unrelated to the education of the children attending the public schools in the parish of Orleans, and other activities which indicate that a thorough investigation of the financial operations of the Orleans parish public school system should be made by this committee, and recommendations of its findings made to the egislature with an end of safeguarding the millions of dollars of the taxpayers' money expended in the operation of the Orleans parish public school system;

REPORT FINDINGS

"Now, therefore, be it resolved by this Legislature school committee, acting under authority of House concurrent resolution No. 26 of the second extraordinary session of the Louisiana Legislature of 1961, proceed with an investigation of the fiscal affairs, expenditures and related matters of the Orleans parish public school system and make report of its findings to the Legislature of Louisiana with recommendations for corrective legislation."

In New Orleans, public schools Supt. James F. Redmond, long the target of the Legislature, said as far as the per educable formula is concerned "they could do as well by counting all the telegraph poles in a parish."

"The formula is a washout unless all of its factors are considered," he said. "Other parts of it include money for teachers, maintenance and many other factors."

He cited a report by the Public Affairs Research Council which said that Orleans parish is the third lowest of the state's 64 parishes in the percentage of state funds received for education.

Bob Kennedy Denies Deal On Louisiana Integration

The Florida Times-Union
Jacksonville, Fla.
Fri. 3-18-61

WASHINGTON, March 9 (UPI)—Atty. Gen. Robert F. Kennedy today denied rumors that the Justice Department has struck a deal with Louisiana officials in the state's school integration controversy.

"There has been absolutely no mention of a compromise by myself and representatives of the Justice Department in talks with Louisiana officials," Kennedy said.

The attorney general made the statement in reply to a telegram from television station WBRZ at Baton Rouge, La.

Bud Herbert, assistant news director of WBRZ-TV, wired Kennedy asking for his comment on "continuing rumors" that integration of Baton Rouge schools could be delayed with Justice Department sanction if Louisiana officials permit integration in New Orleans.

Kennedy said in an answering telegram that such a deal would be impossible because school integration "is a matter to be determined by the courts.

"The timing on integration of schools in Baton Rouge will not be determined by the Justice Department," he said, "but by the courts after hearing testimony on this matter from the people of Louisiana."

He said the Justice Department plays no role except to insure that the integrity and orders of the court are upheld.

"This, and only this," he said, "is the role we have played in the New Orleans matter."

Baton Rouge is under court orders to integrate its schools. Washington officials believe it will be the next hot spot in the Louisiana school situation.

Earlier, the Justice Department filed contempt of court citations against three Louisiana officials in the New Orleans controversy.

It withdrew the complaints against two of the officials—Lt. Gov. C. C. Aycock and house speaker J. Thomas Jewell. Contempt action is still pending against Shelby M. Jackson, state superintendent of education.

Supt. Of Education Gets 3 Weeks To Obey Court Order

The Louisiana Weekly
New Orleans, La.
Sat. 3-11-61

The spotlight on the public school integration issue in Louisiana last Friday was sharply focused on the state superintendent of Education along with two other state officials who were brought before three federal judges on contempt charges.

State superintendent of education Shelby M. Jackson, was given a stern, positive tongue-lashing by a court of federal judges composed of Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals and District Judges Hubert W. Christenberry and J. Skelly Wright, for the part he played in attempting to circumvent a federal order to integrate two New Orleans public schools on November 14. Jackson who declared the target day "a Shelby Jackson holiday" and later held-up payments of teachers and administrative officers, Dr. James F. Redmond and Samuel I. Rosenberg, school superintendent and board attorney respectively, was given until March 24 to comply with court orders and purge himself of civil contempt.

Jackson, who has expressed a desire to run for governor of this state, pleaded poor-health conditions before saying he would be a good boy and would do nothing to stand in the way of carrying out the court orders in Orleans parish public schools in the future or withhold teachers pay checks.

Civil contempt charges against Jackson and two other state officials, Lt. Gov. Taddy Aycock and J. T. Jewell, speaker of the Louisiana house of representatives, were dismissed since salaries had been paid to teaching personnel, including Redmond and Rosenberg. Redmond, since has announced that he would not seek to have his four year contract renewed. According to reports Redmond has asked that his $23,000 per year salary be hiked to $30,000. The board offered the state's highest paid public official $26,000 which he refused.

In other action on the Louisiana public school "integration front," the St. Helena parish school board on last Thursday voted to hold an election April 22 "to determine whether to close public schools rather than to integrate them."

Although the integration date has not been set, the public school board officials are acting under Louisiana's new option school law which was enacted during one of this state's five extra sessions called by the Gov. Jimmie Davis administration. The vote is to give to the school board authority to end public education if (the board) desires.

According to the new option law, if voters decide to close public schools, the board will be authorized to close the school and sell the facilities.

Attorney A. P. Tureaud, NAACP legal counsel, stated that the NAACP would enter suit to prevent inteference with integration orders.

Greensburg is the parish seat of St. Helena parish. There is a parish-wide population approaching 10,000 of which a great portion is Negro.

U.S. Seeks Race Bias Truce With Louisiana

Chicago Defender
3-11-61

BATON ROUGE, La.—(UPI) — The Kennedy administration has offered Louisiana officials a two-year-armistice in the bitter civil rights-segregation dispute, a state legislator said.

"They've been phoning down here, trying to trap us into a truce for two years, or something like that," Rep. Wellborn Jack told the Louisiana house, "It's time for us to call their hands."

Louisiana Atty. Gen. Jack Gremillion was in Washington earlier conferring with U. S. Atty. Gen. Robert Kennedy, who said the New Orleans integration strife was discussed.

Jack's speech was boosting a resolution which labeled the justice Department's civil contempt of court suit against Lt. Gov. C. C. Aycock, House speaker Tom Jewell, and state supt. of education Shelby M. Jackson as "improper, discriminatory and without legality." It was approved by the House, with only three dissenting votes.

Jack said he though the Kennedy administration wouldn't press the contempt charges because "they are afraid southern senators won't vote for their program."

The Louisiana legislature is now in its fifth special session since four Negro girls entered two previously all white grade schools in New Orleans.

A New Orleans representative called the resolution "insidious" and warned it would "stir things up again. But a North Louisiana legislator urged his colleagues to appear in court March 3 when the contempt proceedings are aired before U. S. Dist. Judge J. Skelly Wright.

Asks court to bar step by Louisiana

Chicago Defender
3-11-61

By LOUIS LAUTIER

WASHINGTON, D. C. (NNPA) — The Justice Department contends that a state cannot abandon its public school system to avoid desegregation of public schools under a federal court order.

The argument is advanced in a brief filed by Attorney General Robert F. Kennedy and a battery of Justice Department lawyers in the St. Helena Parish (County), La., school case, in the Federal District Court at Baton Rouge, La.

The 67-page brief, filed in response to questions raised by the special three - judge court, which has been impaneled to hear the case, divides the issues raised by the questions into three parts.

Part 1 of the brief deals with Act. No. 2 of the second special session of the 1961 Louisiana Legislature, which gives a parish or municipal school board authority to suspend or close the public schools after an election at which a majority of the voters authorized such suspension or closing.

* * *

THE JUSTICE DEPARTMENT asserts that the application of Act. No. 2 to St. Helena Parish constitutes a denial of the equal protection of the laws to the colored children of that parish and is an attempt to obstruct and circumbent the desegregation order of the court.

If the schools are closed, the brief states, they will not be desegregated and what the federal court contemplated last May 25, when it issued its desegregation order, will not occur.

The brief states that Louisiana is not going out of the business of providing education, in either St. Helena Parish or the state at large.

But even abandonment of education would "frustrate" the court's order and can be enjoined, the Justice Department declares.

* * *

THE ATTORNEY GENERAL called the whole batch of laws passed by the Louisiana Legislature, in special sessions, and designed to block school desegregation, "a device developed by the State of Louisiana for the obstruction of the orders of this court and for the evasion of the state's responsibilities under the Federal Constitution."

Negro Pupils Escorted After First-Day Classes

The Times-Picayune Fri. 9-8-61 p. 3



—Photos by The Times-Picayune.

LUSHER, M'DONOGH NO. 11 SCHOOLS NEWLY INTEGRATED

Burns Relates School History

The Times-Picayune

Cites Reconstruction Desegregation Moves

By FRANCIS P. BURNS

(Editor's Note: Mr. Burns is a former city attorney who long has been interested in the history and folklore of this area.)

The present agitation to desegregate the public school system in New Orleans is nothing new. In fact, it was much worse during the period of the Reconstruction.

The established public policy of the state has been for separate, but equal educational facilities for white and Negro children. It has worked well, except during the dark days after the Civil War when the carpetbaggers, under the protection of federal troops, were in control of the schools.

It is a fact that the policy of free public schools came into being by the adoption of Act 20, of 1841, which authorized the three municipalities of New Orleans to organize free public schools for white children. The Constitution of 1845 authorized the Legislature to create free public schools throughout the state. This general grant, unlimited as to race, was restricted by the Constitution of 1852 to free white children.

IN 1898 CONSTITUTION

Then came the Constitution of 1864 which extended free public education to all children regardless of race. This policy was repeated by the Constitutions of 1868 and 1879. However, in the Constitution of 1898 it was provided, for the first time, for free public education of the white and colored races, separately established by the Legislature. This provision of the constitution of 1898 was carried into the Constitution of 1913 and 1921. It will, therefore, be noted that, except for the period of the Reconstruction, when federal troops were here, the fundamental law of the state required segregation in the public schools.

It is to the credit of Mayor Freret that he lent his support, under Act 20, of 1841, to the establishment of free public schools for white children. But Mayor Edward Heath, when he became mayor in 1867, undertook to enforce the admission of Negro children into the public schools of New Orleans.

This action on his part caused great excitement. The council had adopted an ordinance appropriating a large sum of money to establish separate schools for the Negro children. Mayor Heath vetoed the ordinance, and when his veto was overridden, he applied to Gen. Sheridan to "readjust" the board of aldermen. A new board was accordingly established by military authority composed mainly of "free men of color." The consequence of the introduction of Negroes in the city government was financially disastrous to the city.

SUIT IN 1878

During the regime of Mayor Isaac W. Patton, who was elected as mayor in 1878, the public school system provided for the separate instruction of white and Negro children. This situation brought into action the suit of Paul Trevigne against the school board to enjoin the division of public schools exclusively for white and Negro children.

Trevigne in his petition made the error of admitting that the division of separate schools for the two races was an accomplished fact, and as he did not seek to compel the school board to comply with the 14th Amendment to the United States constitution on the subject, he therefore put it beyond the power of the supreme court of Louisiana to grant him the relief he sought. This decision was rendered in January, 1878.

The proponents of desegregation seeking to overcome the error in the Trevigne case, and wishing to try another forum, caused one Arnold Bertonneau, a Negro man, and the father of two sons, to file suit in the United States circuit court at New Orleans for a bill in equity to compel the Fillmore school, located on Bourbon st. between St. Claude and Marais sts. to admit his children into the school. The school board had previously adopted a resolution to educate the two races in separate schools, and Bertonneau attached a copy of this resolution, dated July 3, 1877, to his bill.

As Bertonneau had not complained that his children had not been excluded from the public schools on account of their race, his grievance being only that they could not attend a school for white children, Judge Woods refused the relief sought for by complainant stating, "Equal school advantages does not impair any right under the constitution, because equality of right does not necessarily imply identity of rights." This case was decided in the January term, 1878, of the United States circuit court at New Orleans, and like the preceding case neither was appealed to a higher court. These two cases were defended by the late Edgar H. Farrar, then an assistant city attorney, representing the school board.

TEACHER FIRINGS

While these two cases were in the courts there was much ferment among the white people of New Orleans. The school board appointed by orders of Gen. Sheridan had, by their actions in dismissing many white teachers of long experience, and appointing others of little or no experience, including the appointment of many Negro teachers, brought out an editorial in the Picayune of Sept. 24, 1875, declaring the efforts of the school board to "Africanize" the schools to be against the public policy of the state. The leader in this effort to desegregate the public schools was Lt. Gov. Pinchback who, in appointing a man named Edmunds as principal of a school, said tauntingly "It is an excellent opportunity to test the sincerity of Southern people in their of repeated assurances that they accepted civil and political equality of all men before the law."

On the afternoon of Sept. 29th, 1875, the Picayune reported great excitement at the Fillmore school. Police were sent to guard the school in anticipation of riots. Nothing much happened except a number of parents removed their children from the school, assigning no reason other than that they were dissatisfied with the school. In the same edition the Picayune repeated the invitation previously made to attend the mass meeting to be held that night in Lafayette Square at 7 p. m. to protest against the "Africanization" of the schools.

The mass meeting was called for by a long list of sponsors, over 200 in number, giving the names of the most prominent persons in the professional business and social life of New Orleans. The Picayune of Sept. 30th, 1875, contains a full account of the big meeting presided over by Benjamin R. Forman, as chairman, and T. Wharton Collens, as secretary. Addresses were made by many of the prominent citizens including the late Charles F. Buck and many others. A long letter was read from the Rev. B. M. Palmer, the beloved pastor of the First Presbyterian church, as well as other ministers. The tremendous crowd gave unanimous consent to the adoption of a resolution condemning the action of the school board, especially, as stated by the Picayune, on Sept. 17th, 1875 for the appointment of Negro teachers over white pupils.

New Orleans Integration A Slow Task

New York Times

Hard Fight Prevailed At the Start in 1960

By The Associated Press

NEW ORLEANS.

The morning of Nov. 14, 1960, began as a warm, autumn day in New Orleans. It ended like a cold, winter night.

Women shopped near William Frantz School. Men drove to work past McDonogh No. 19 School. Across the levees, the mournful cry of Mississippi River boats echoed plaintively, peacefully. p. 8

And then four Negroes mounted the steps of the two all-white schools — crossing segregation barriers that had existed since Reconstruction days. Sun. 11-12-61

At Frantz, a crowd of about 100 gathered.

A loud wail of boos and a barrage of insults greeted the first-grade Negro girl and her mother. The angry scene was repeated a half mile away at McDonogh, where three Negro first-grade girls entered the school. New York Times

Parents withdrew every one of the 500 white pupils at McDonogh. The boycott lasted the entire school year.

At Frantz, attendance dropped steadily from 480 until only two white children remained with the Negro girl. One was the five-year-old daughter of the Rev. Lloyd Foreman, thirty-four-year-old Methodist minister. The other was the six-year-old daughter of Mrs. Daisey Gabrielle, the mother of six children.

Federal marshals escorted the Negro children to school. The two white students walked with their parents, and the jeering crowds grew larger.

Legislature Called

Gov. Jimmie H. Davis, who pledged in his inaugural address to maintain segregated education, called the Legislature into special session.

In five stormy meetings, the legislature took out of office four moderates of the five-man New Orleans School Board, created its own school board, fired New Orleans School

Racist Wins Big NASA Contract

By Drew Pearson

An outspoken champion of white supremacy, who bitterly fought the Justice Department's attempts to integrate the New Orleans schools, has been rewarded strangely by another Government agency with a juicy $666,471 contract.



Pearson

He is Martin Gurtler, whose firm, Gurtler-Hebert & Co., was selected out of six bidders to convert a New Orleans ordnance plant into a rocket factory. It will produce Saturn rocket engines, the big boosters which are counted upon to carry the American flag to new heights in space.

Gurtler is known at the Justice Department as the author of a vile Christmas letter, marked "personal and confidential," to Lloyd Rittiner, who last year was president of the New Orleans School Board.

The letter warned that Rittiner was "bound to get a bloody nose" because of his stand on "the nigger-mixing issue," called the anti-Communist, pro-integrationist Save Our Schools organization a "Communist front," and referred to TV producer David Susskind as "the New York Jew Susskind."

The inflammatory letter fell into the hands of the Justice Department, which could find nothing in it that violated Federal law. After Gurtler came up with his $666,471 Government plum, however, an outraged Attorney General Robert F. Kennedy shot a copy of the letter to Vice President Lyndon B. Johnson's Equal Opportunities Committee.

Will Gurtler Integrate?

The Committee probably will order Gurtler to hire Negroes for the same jobs as whites, take action against him if he fails to comply. Thus the bitter foe of integration may be forced to integrate his own company or lose his new sugar plum. It will be interesting to see whether he puts profits ahead of prejudice.

What puzzles and annoys the Attorney General is how the National Aeronautics and Space Administration happened to award the contract to Gurtler in the first place.

He was not the lowest bidder; two lower bids were unaccountably ignored. Gurtler was also given a cost-plus deal, which means the $666,471 negotiated price is just the beginning. He can run up the costs into the millions.

In other words, he was served his sugar plum on a silver platter with extra sugar on the side to be added as sweetening if needed.

Louisiana Congressman F. Edward Hebert (no relation to Gurtler's partner, Leonard Hebert) informed this column that the two lower bids were submitted by respected, qualified New Orleans firms: R. P. Farnsworth, and Quinn Construction, both of which bid at least $50,000 less than Gurtler.

Hebert happens to be chairman of a House subcommittee which polices military contracts but has no jurisdiction over space contracts.

"If I had the jurisdiction," he told this column, "I would have the people who awarded this contract before my committee tomorrow."

Christmas Letter

Gurtler's ugly Christmas letter hinted that Rittiner might suffer economic retaliation for his stand in favor of keeping the New Orleans schools open. Subsequently, the White Citizens Council organized a boycott against Rittiner.

"In view," wrote Gurtler to the embattled school board president, "of all the things which I have heard inside of the trade and outside of the trade, and when I say 'the trade,' of course I mean the construction business, out of which you and I both make our living, I cannot let the opportunity go by without urging you, as your friend, to follow a course of action which in your own interests you should at this time.

"Lloyd, the best thing for you to do in the light of the position in which you have managed to entangle yourself on the Nigger-mixing issue is to resign from the school board and to do it now.

"However," continued Gurtler, "you must know that you are on the other side of the fence from the white people with whom you grew up, with whom you have associated and with whom you must as an individual and as a businessman continue to do business in the city of New Orleans.

"Dead, Dead, Dead"

"Regardless of the outcome of whether the carpetbaggers' law or our local law will prevail in the litigation and struggle in which you have had a uniquely central part, only two outcomes are plain to me:

"1. Public education is dead, dead, dead as white people, even poor ones, will just not send their children to school with niggers, and of course I don't blame them; and

"2. Lloyd Rittiner, my friend, as an individual is bound to get a bloody nose out of the situation, and it is getting bloodier with the passage of every day."

Under the circumstances, Rittiner, a subcontractor, could hardly submit a bid to Gurtler for part of the Saturn plant work. Rittiner's bid was accepted, however, by the other five applicants for the prime contract.

Yet the Space Agency rewarded Gurtler and slapped Rittiner, whose business had already suffered because of his fight to keep the schools open.

It almost makes Uncle Sam appear to be schizophrenic.

Superintendent Dr. James Redmond, and passed a sheaf of last-ditch anti-integration laws.

Federal courts ruled all the actions illegal.

The night after integration, an aroused throng of 5,000 attended a Citizens Council rally.

The next morning, police battled teen-agers and adults who rioted during a march on the city hall and the school board building.

On Dec. 1, Save Our Schools Inc., a group favoring some integration, started car-lifting white children through the crowds into Frantz. Attendance climbed to twenty-three.

A list of names and telephone numbers of the parents and Save Our Schools volunteers circulated. A telephone campaign of harassment started Four parents lost their jobs.

Teen-agers smashed the windows of Mrs. Gabrielle's project apartment. Her neighbors shunned her.

She continued sending her child to Frantz. After a month, her husband, ostracized by fellow workers, quit his job as a meter reader for the city Sewerage and Water Board and took his family out of the state.

Vandals smeared Mr. Foreman's house with red paint, broke the windows, scarred his church with creosote. Mr. Foreman moved his family out of his house but they stayed in New Orleans. He kept preaching.

White attendance dropped to seven at Frantz.

The boycotting pupils rode buses across the city line to St. Bernard Parish, where they went to segregated classes in a warehouse.

The school board estimated that of 900 boycotting children, nearly 300 got no schooling.

The Tide Turns

Many think the tide began to turn when the Legislature met for its third special session. It convened to levy an additional one-cent sales tax to finance a tuition grant system that would pave the way for segregated white co-operative schools.

The state A. F. L.-C. I. O. opposed it. So did small business groups, several chambers of commerce, and a majority of the New Orleans delegation. And so did a group of segregationist lawmakers from northern Louisiana.

The tax bill failed by a few votes. Attendance rose to twelve at Frantz. The school year ended in May.

Then, in the summer, Louis G. Riecke sr., school board president, announced integration probably would come to four to six more schools. But surprisingly, he predicted things would be quiet.

Mr. Riecke was right. On Sept. 7, eight more Negroes entered formerly white schools. Four new schools were integrated.

Calm prevailed at each school. The boycott ended at McDonogh. At the end of two months twenty white pupils went to McDonough and ninety-one to Frantz.

Some white pupils left the newly integrated schools. But a much larger group stayed on than at Frantz and McDonogh. At the end of the second month, there were 334 at Wilson, 287 at McDonogh, 252 at Lusher, and seventy-five at Benjamin.

What happened? Why the changed atmosphere?

Students register—

N.O. school boycott believed weakening

A year-long boycott of integrated schools showed signs of weakening today as the second and final days of new pupil registration began in New Orleans.

Seventy-five new white students registered yesterday at four schools marked for integration by mid-month. Nine registered at two holdover schools integrated last year.

Platoons of police stood watch at the six schools. They detoured all unauthorized personnel. There were no disturbances.

Meanwhile, the U.S. Justice Department began court action to cut off an exodus of boycotting white pupils to segregated classes across the parish (county) line.

THE NEW ORLEANS children have transferred to school in adjoining St. Bernard Parish, a staunch segregation stronghold. The government says this is circumventing court-ordered integration.

It has asked a 3-judge federal tribunal to issue an injunction stopping the shift of students—or else integrating St. Bernard classes. A hearing date was not set.

At integrated William Frantz school, where only a dozen of the 571 white pupils stayed on after one Negro entered Nov. 14, eight more white children registered yesterday.

At integrated McDonough No. 19, where all 467 students walked out when three Negroes came, one white boy registered in the fifth grade.

The four Negroes, now second graders, will return to school tomorrow when classes start for some 93,000 pupils in New Orleans' 118 public schools.

POLICE CHIEF Joseph I. Giarrusso said he noticed a different atmosphere in New Orleans this year. Crowds picketed integrated schools last fall, screaming insults and profanity at those attending.

"The responsible people in our community have spoken out," Giarrusso said, "and it has had an effect and impact on everyone."

The pro-segregation South Louisiana Citizens Council called for parents to stage another boycott of integrated schools. Council officials said a white boycott is the most effective way to stop school desegregation.

The New Orleans Citizens Council asked white mothers of school children to sign a "declaration of principles" opposing the use of "armed forces to coerce our people into forced integration."

Yesterday 396 boycotting New Orleans pupils—71 more than last year—began classes in St. Bernard Parish. They are enrolled in Arabi Annex, a converted warehouse with 13 classrooms.

✓IN THE JUSTICE department suit U. S. Atty. M. Hepburn Many said St. Bernard has assumed responsibility for the annex' operation and pays its teachers.

The government said the annex is not a bona fide private school, but a part of St. Bernard's public school system and that of the state.

U.S. Atty. Gen. Robert Kennedy, who joined in asking for the injunction, said Louisiana and St. Bernard has "nullified the effectiveness of the desegregation orders in Orleans Parish by merely shifting the educational site."

The suit also asks that Louisiana be enjoined from withholding funds from the integrated New Orleans schools and, instead, turning them over to St. Bernard.

Newly integrated schools still quiet

By The Associated Press

Police patrols were reduced around six New Orleans public schools today as peace and quiet continued during the start of the second week of desegregation.

Police Supt. Joseph Giarrusso said a few officers would stay in the school areas and a reserve force would be available if needed.

Thus far there has been no repetition of the noisy demonstrations which occurred when two of the schools were integrated last Fall. Attendance increased slightly at four schools yesterday but was still well below normal.

Nine Negroes began the third week of classes with white pupils at four Atlanta public high schools without incident while Georgia Tech prepared to admit three Negroes next Monday.

Dr. Edwin Harrison, president of Tech, said he expected "the admission of the Negroes to be entirely routine." They will be among 1250 freshmen reporting for orientation at the famed engineering school.

Eight Negro pupils from Prince Edward County, Va., resumed their education in Masachusetts. They enrolled in Springfield area schools under arrangements made by a citizens committee.

Prince Edward County closed its public schools two years ago after a federal court ordered them desegregated. Since then white pupils have been attending private segregated schools but most Negroes have chosen to go without formal education.

The North Carolina School Board reported a boycott at the Snow Hill rural Negro school in Warren County was abandoned after pupils transferred to another school. The boycott was staged in an effort to obtain better school facilities.

But a boycott was continuing at a junior high for Negroes in Charlotte, started eight days ago after the school board declined to assign white pupils to the school.

The Montclair N. J. branch of the NAACP asked parents to end a pupil boycott at Glenfield School which takes both junior high and elementary pupils. The parents wanted the junior high portion closed because they claimed low enrollment prevented equal opportunities for their children compared to those in other Montclair junior highs.

In other racial developments, Negro and white persons backing the Nashville, Tenn., non-violent movement began what was described as an all-night prayer vigil on the lawn of the president of A&I University.

The vigil was in protest of the dismissal of 14 students at the Negro school who left classes last Spring to take part in "freedom rides," Dr. W. S. Davis, the university president, was reported not at home.

A total of 16 appeals cases have been heard since Aug. 22. But only four defendats accepted sentences and returned to jail despite a request by the sponsoring Congress of Racial Equality to accept jail terms. Of the 291 riders oroginally convicted only 14 remain in jail.

In Washington, the government asked the U. S. Supreme Court to reverse the convictions of 16 Negroes in Louisiana on charges arising from lunch counter sit-ins.

Also in Washington, Senate and House conferees agreed on a compromise appropriations measure extending the life of the civil rights commission for two years.

U.S. Sues to End Louisiana Bias

WASHINGTON, Sept. 1 (AP). The Justice Department sued Friday to strike down a Louisiana law requiring segregation of bus terminal facilities.

The suit was filed in Federal District Court in New Orleans by Attorney General Robert F. Kennedy, U. S. Attorney M. Hepburn Many of New Orleans and other Justice Department lawyers.

The complaint named three Baton Rouge officials as defendants and asked an injunction barring them from enforcing the law.

THREE DEFENDANTS

Named as defendants were Sargent Pitcher, Jr., District Attorney of Baton Rouge parish; Bryan Clemmons, Sheriff of the parish, and Shirley S. Arrighi Baton Rouge Chief of Police.

The suit is the first initiated by the Justice Department to have a State law requiring segregation of bus terminal facilities declared unconstitutional.

It followed Federal grand jury action in Birmingham, Ala., indicting nine men accused of bombing the first "Freedom Rider" bus to enter Alabama.

The incident occurred on May 14 outside Anniston, Ala., while the bus was en route from Atlanta to Birmingham.

SEVEN ARRESTED

The FBI, Kennedy said, has arrested seven of the men, all of whom live in the Anniston area. Another is in jail on burglary charges and the ninth is hospitalized.

Seventeen persons, including seven "Freedom Riders," were abroad the bus when it arrived at Anniston. A mob of whites stoned the vehicle, then followed it out of town and tossed an incendiary bomb through an open window.

Several passengers were treated for burns and smoke inhalation, and the "Freedom Ride" was temporarily called off.

Public Schools To Open Warily

New Orleans Officials Warn That No Disorders Will Be Tolerated

By United Press International

NEW ORLEANS, Sept. 4. — New Orleans public schools, six of which are tagged for desegregation this year, open Tuesday for new student registration.

School board officials estimate 92,000 children will begin classes Thursday in the city's 122 public schools.

Two elementary schools, William Frantz and McDonogh 19, were desegregated last year. The lone Negro girl who attended Frantz has been promoted to the second grade.

More Second Graders

Three Negro first grade girls at McDonogh 19 also advanced. They will begin classes at the two schools Thursday.

Less than 10 Negro first graders will enter the other four schools.

City officials, civic and church groups and New Orleans' two newspapers have been campaigning for compliance with the Federal court's desegregation orders. Police have warned no disorder, such as that which accompanied initial desegregation last fall, will be tolerated.

Many Police

Police Supt. Joseph Giarrusso said 60 or more policemen will be assigned to keep peace at each of the six desegregated schools.

Mrs. B. J. Gaillot, president of a pro-segregation group called Save Our Nation, Inc., said she and a group of women plan to peacefully picket William Frantz School when it opens for classes Thursday.

Mr. Giarrusso said each of the six desegregated schools will be sealed off a block in all directions. Only authorized persons will be permitted beyond the blockades.

VOIDS SCHOOL CLOSING LAW IN LOUISIANA

New Orleans, Aug. 30 (AP)—A three judge federal court today struck down Louisiana's school closing law—which permitted school districts to vote in favor of abandonment of public schools faced with desegregation orders.

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the school closing law, but did not rule the grants illegal.

"This is not the moment in history for a state to experiment with ignorance," said the opinion of Judge Minor Wisdom of the 5th Circuit Court of Appeals and District Judges J. Skelly Wright and Herbert W. Christenberry.

Calls Local Option Unlawful

"When it does, it must expect close scrutiny of the experiment."

The court ruled that the local option act, passed at a special 1961 session of the legislature, violated the equal protection clause of the 14th amendment to the Constitution on two counts:

1. "It is a transparent artifice to deprive the [Negro] plaintiffs of their constitutional right to attend desegregated public schools."

2. Since the state provides public schools in other parishes [counties], closing the schools in St. Helena would discriminate against the children in that parish, regardless of race.

Voted to Close Schools

The action was filed by Negro residents of St. Helena, a tiny, rural parish 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwhelmingly voted to close schools rather than to submit to desegregation. Judge Wright had earlier ordered desegregation but set no deadline. Meanwhile, the parish schools have already opened for the fall term on a segregated basis.

The judges, in a rare move, had asked the attorneys general of the 50 states to submit "friend of the court" briefs in the case outlining their view in the case, including the duties of a state to establish and maintain public education.

However, today's opinion did not touch on the due process clause or the maintenance of public school systems by a state.

12 Negroes Enter Classes in Quiet Beginning

Six New Orleans public schools were integrated when 12 Negro children walked into classes as school started Thursday.

It was a quiet beginning, with no demonstrations, incidents or episodes to mar an atmosphere of racial peace.

This is the second year of enforced desegregation in the Orleans parish school system.

Total enrollment at the six schools was down, compared with the enrollment at the same schools after the first six weeks of the fall, 1960, term.

But school Supt. O. Perry Walker and school board president Louis G. Riecke expressed satisfaction with the turnout and hope for an increase in attendance.

"We feel some of the mothers were holding their children back on Thursday because they were concerned with the safety of the youngsters," Riecke said.

INCREASES START

"But now that they see they will be safe, they'll send them to school and we will have a normal attendance at those schools."

Walker, who said first-day enrollment at the other 112 public schools in the system was "normal," stated that the turnout at the desegregated ones "indicates that the instructional program has been recognized and I look for increased enrollment."

Even on school opening day there were increases as afternoon sessions started.

An unidentified white boy broke the 100 per cent white boycott at McDonogh No. 19 elementary school Thursday morning. As the afternoon session started three more white pupils entered classes.

Five Negro cihildren go to that school. Included are three girls who were the first to break the racial barrier there last fall and who entered the second grade this term, and a Negro boy and Negro girl who entered the first grade.

POLICE STAND GUARD

William Frantz Elementary school was the other public school desegregated by federal court order last year. The same Negro girl who started there last fall returned Thursday as a second-grade pupil. There were 16 white children in classes at Frantz.

Enrollment at the four other schools integrated for the first time this term was:

Wilson school, 355 white and one Negro girl, a first grader.

Lusher school, 204 white and two Negro girls, first graders.

McDonogh No. 11 school, 174 white and one Negro girl, first grader.

Benjamin school, 81 white and one Negro boy and one Negro girl, both first graders.

More than 300 policemen stood guard behind barricades to maintain law and order. There wasn't a catcall or a boo.

Even at McDonogh No. 19, where militant white mothers had bolstered the total boycott throughout the summer with personal visits, there was no reaction to the integration.

FBI CHECKS

Aside from police and reporters there was an occasional patrol by FBI at the desegregated schools.

There was none of the rowdiness which marked desegregation of McDonogh No. 19 and Frantz schools last year.

One white man, L. P. Davis, a white Citizens Council leader, withdrew from the McDonogh No. 19 area under police order. Davis said he showed up as an observer.

Police Capt. Raymond Ruiz refused to honor Davis' state police credentials and told him to move on.

The absence of demonstrations evoked encouraging comment from Mayor Victor H. Schiro. He expressed gratitude to the city's citizens "for the manner in which they accepted this mandate of our federal government and courts."

APPEARANCE SURPRISES

He said that "if conditions continue to warrant," police will relax security measures, including the street barricades a block in each direction from the desegregated schools.

Attendance at the schools by newly-selected Negro first graders came as a public surprise. They were not expected until next week.

No other parish in the state has been desegregated. East Baton Rouge and St. Helena parish school boards are under court order to desegregate "with all deliberate speed," but no date has been set by the court which issued the order.

The Negro children who went to the desegregated schools arrived by taxicab and private automobile and left the same way after classes. No U. S. deputy marshals accompanied them this time, as was the case last fall.

Davis was not the only one turned away from the school areas. There also was a brief showing of five women at Frantz school who carried fans with printed segregation slogans.

PEOPLE LAW ABIDING

They were ordered to leave and did so immediately.

In an added comment dealing with the racial peace at the integrated schools, Riecke said: "This convinces me that the people of New Orleans are as law abiding as those anywhere."

Walker said that enrollments on Thursday and Friday of the opening of schools are always low because of difficulties in obtaining birth certificates and because families still are on vacation.

He said the first Monday of the school year is always the day when the first accurate estimate of enrollments is made.

End of First Day at Two Integrated Schools


Andrew H. Wilson


Judah P. Benjamin

—Photos by The Times-Picayune.

NEGRO PUPILS LEAVE WILSON, BENJAMIN SCHOOLS AFTER CLASSES

Six N.O. Public Schools Mixed as Session Opens

New Orleans Steels For School Opening

By BEN THOMAS

NEW ORLEANS (AP)—The second year of public school desegregation comes to this southern city of 627,000 Thursday with warnings from Mayor Victor Schiro and police that no disturbances will be tolerated.

Civic, church and social leaders have repeatedly called for quiet and order similar to that in Atlanta, which this week peacefully integrated its school system.

Frantz and McDonogh No. 19 elementary schools, both located in the eastern fringe of the city, became New Orleans' first desegregated schools when four Negro girls began attending first grade classes last Nov. 14.

ANGRY MOTHERS

Angry white mothers pulled their children out of the two schools and heckled the Negro children and the handful of whites who continue to go to school. At McDonogh No. 19, the boycott was complete.

Segregationists continued to cause disturbances until police barricaded the areas surrounding the two schools.

This year, Police Supt. Joseph I. Giarrusso isn't taking any chances. McDonogh No. 19 and Frantz, as well as the four additional elementary schools scheduled to receive Negroes for the first time, will be barricaded from the opening day—Thursday.

CLOSED OFF

Police will allow newsmen and other authorized personnel inside the barricades. Otherwise the entire block where the schools are located will be sealed off.

Giarrusso ordered his 1,100-man force on a 12-hour day effective Thursday. Normally they work eight-hour shifts.

The Justice Department is sending 60 U.S. marshals into the city at the request of the U.S. district court.

The four Negro girls—all promoted to the second grade—will report to Frantz and McDonogh No. 19 for opening day classes.

The school board has declined to say when the other four schools will be desegregated but it is expected to come by mid-September. School board President Louis G. Riecke says that less than 10 Negroes will attend the new schools.

The new schools ready for desegregation are McDonogh No. 11, also located in the eastern section. Lusher, near Tulane University, Judah P. Benjamin, and Wilson, both in the uptown area.

PRIVATE SCHOOLS

Meanwhile, construction continues on a private school for the children withdrawn from McDonogh No. 19 and Frantz is expected to continue, however there has been no talk of a boycott at the other schools. Most of the white children at the two original schools attended classes in public schools in nearby St. Bernard parish last year.

Last year, Gov. Jimmie H. Davis called five extraordinary sessions of the state legislature in an attempt to block desegregation. The lawmakers passed scores of measures aimed at circumventing integration, but the moves were blocked each time by the federal courts.

There are no indications this year that Davis plans any special sessions to fight continuing integration.

FBI IS PROBING LA. VOTER LISTS

E. Feliciana Parish Is Scene of Action

CLINTON, La. (AP)—The FBI Saturday investigated voter registration practices in East Feliciana Parish.

Dist. Atty. Richard Kilbourne said the FBI refused aid to crack a liquor burglary ring and instead sent in a crew of agents to probe parish officials.

Agents entered the parish Wednesday and began questioning citizens.

Kilbourne said he had a list of 150 questions they asked in interviewing people. The FBI agents referred all questions to the New Orleans office.

The agents would only say they would be in the parish "until the job is finished."

Henry Earl Palmer, East Feliciana registrar of voters, said six agents came in Wednesday and told him they would question voters in the parish. They declined his offer to help.

East Feliciana two years ago purged its rolls and has been investigated twice by agents who photographed voter registration records.

Dist. Atty. Kilbourne said Sheriff Arch V. Doughty asked FBI aid in cracking a string of liquor store burglaries in the parish. Evidence indicated, he said, the stolen liquor was being taken into Mississippi and this would bring the case under FBI jurisdiction.

"The FBI agent told the sheriff," Kilbourne said, "he would have to call in the Treasury Department because it did not have men available for the investigation.

"The next day they sent six or eight agents into the parish to begin questioning on parish officials. We're called on by them as the criminals they're looking for now."

The district attorney said the Treasury Department isn't concerned with the liquor thefts because the taxes on the liquor had already been paid before it was stolen.

But agents of the Treasury Department have joined in the investigation of thefts with East Feliciana and Louisiana State police officers.

The latest burglary occurred at Herman's liquor store here early Monday. Loot taken included 35 cases of liquor, 40 cartons of cigarets, a pistol, a shotgun and $10 in change.

New Orleans Police Ready For Mixing

NEW ORLEANS (AP)—The 1,100-man New Orleans police force will go on a 12-hour day on Sept. 7, the same day public schools open for their second year of desegregation.

Police Supt. Joseph I. Giarrusso told a news conference Friday that areas around the two schools desegregated last fall and the four additional schools scheluled to receive Negro pupils this year will be sealed off for one block in each direction.

He said he would station around 60 men at each of the schools on the first day, although the four new schools will not be desegregated until later.

"The role of the police department is clearcut: to preserve the peace; to maintain law and order.," said Giarrusso.

No loitering or display of agitation will be tolerated," he said.

CONFIDENT

The superintendent expressed confidence that there would not be a repetition of last year's disorler when the two schools were desegregated. He put his men on a 12-hour shift for the first several weeks of desegregation. They normally work eight hours daily.

Giarrusso also established ground rules for newsmen at the schools. They will be allowed within the barricades, but not on the school grounds or in school buildings "unless conditions dictate otherwise."

Meanwhile, civic, church and school leaders have intensified efforts for peaceful opening of public schools. Two Sundays — Sept. 10 and Sept. 17 — were set aside as special prayer days to seek a peaceable solution to the school problem.

The board of the greater New Orleans Federation of Churches named the special days in a resolution asking New Orleans residents "by special prayer and the careful observance of christian principles" to seek peace and order.

School board president Louis P. Riecke, in a letter to all school employes said the desegregation issue must be resolved without impairing the high standards set in the schools.

Orleans Hoping For School Peace

Mayor Warns Against Strife As Second Desegregation Year Nears

NEW ORLEANS, Sept. 2 (AP)—The second year of public school desegregation comes to this Southern city of 627,000 Thursday with warnings from Mayor Victor Schiro and police that no disturbances will be tolerated.

Civic, church and social leaders have repeatedly called for quiet and order similar to that in Atlanta, which this week peacefully integrated its school system.

Frantz and McDonogh No. 19 elementary schools, both located in the eastern fringe of the city, became New Orleans' first desegregated schools when four Negro girls began attending first grade classes last Nov. 14.

* * *

ANGRY WHITE mothers pulled their children out of the two schools and heckled the Negro children and the handful of whites who continued to go to school. At McDonogh No. 19, the boycott was complete.

Segregationists continued to cause disturbances until police barricaded the areas surrounding the two schools.

This year, Police Supt. Joseph I. Giarrusso isn't taking any chances. McDonogh No. 19 and Frantz, as well as the four additional elementary schools scheduled to receive Negroes for the first time, will be barricaded from the opening day —Thursday.

Police will allow newsmen and other authorized personnel inside the barricades. Otherwise the entire block where the schools are located will be sealed off.

Giarrusso ordered his 1,100-man force on a 12-hour day effective Thursday. Normally—they work eight-hour shifts.

The Justice Department is sending 60 U.S. marshals into the city at the request of the U.S. District Court.

The four Negro girls — all promoted to the second grade — will report to Frantz and McDonogh No. 19 for opening day classes.

* * *

THE SCHOOL BOARD has declined to say when the other four schools will be desegregated but it is expected to come by mid-September.

School Board President Louis G. Riecke says that less than 10 Negroes will attend the new schools.

The new schools ticketed for desegregation are McDonogh No. 11, also located in the eastern section. Lusher, near Tulane University, Judah P. Benjamin, and Wilson, both in the uptown area.

Meanwhile, construction continues on a private school for the children withdrawn from McDonogh No. 19 and Frantz last fall.

The boycott of McDonogh No. 19 and Frantz is expected to continue, however there has been no talk of a boycott at the other schools.

Most of the white children at the two original schools attended classes in public schools in nearby St. Barnard Parish last year.

Last year, Gov. Jimmie H. Davis called five extraordinary sessions of the state legislature in an attempt to block desegregation. The lawmakers passed scores of measures aimed at circumventing integration, but the moves were blocked each time by the federal courts.

There are no indications this year that Davis plans any special sessions to fight continuing integration.

New Orleans Police Alerted for Schools

NEW ORLEANS (AP) — Police Supt. Joseph Giarrusso Friday ordered his 1,100-man force on a 12-hour day effective next Thursday—the opening day of public schools.

Giarrusso said police will barricade the areas around the two schools desegregated last fall and also at the four schools ticketed for desegregation this year.

"These school areas will be sealed off for one block in each direction," said Giarrusso.

"Only authorized persons will be permitted to enter or to leave the area; no loitering or display of agitation will be tolerated.

"The role of the police department is clear cut: To preserve the peace, to maintain law and order. It is not for the police department to determine the merits or demerits of desegregation of our public schools."

Giarrusso said he would have "around 60 men" stationed at each one of the schools beginning Sept. 7, although the four new schools will not receive Negro students until later.

He has had his entire force briefed on police plans for handling any disturbances.

Last year, unruly crowds gathered outside the two desegregated schools. They jeered the Negro pupils and the few white pupils who did not boycott the desegregated classes.

Meanwhile, the Orleans Parish school board, in a letter to all board employes, said the "desegregation issue must be resolved without impairing the high standards set in our schools."

The letter, signed by board President Louis G. Riecke, said that it was important to recognize that public education in New Orleans, as in the rest of the South, is going through a trying period.

STRICT SCHOOL ORDER PLANNED

Giarrusso Outlines Aims to Prevent Disorder

Police Supt. Joseph I. Giarrusso Friday laid down strict regulations which will be enforced next Thursday at schools to be desegregated.

He said streets will be barricaded one block in each direction from the desegregated schools.

No unauthorized persons will be allowed to enter or leave the barricaded area.

Agitators will be quickly arrested.

This plan of action, Giarrusso said, has been agreed upon by city, school and police officials.

Up to 60 uniformed and plainclothes policemen will be stationed at each of the six schools scheduled for desegregation, even though four will not enroll Negro students until later in the month.

Parents of children attending the schools will be permitted to escort their offspring to the building but will be required to leave immediately, Giarrusso said.

ATMOSPHERE OF CALM

He said these restrictions are necessary to produce an atmosphere of calm.

Meanwhile, school, church and civic leaders intensified efforts to assure peaceful opening of the schools.

School board president Louis G. Riecke, in a letter to the board's employes, said: "It is your responsibility to understand and work constructively to solve school problems."

The Greater New Orleans Federation of Churches adopted a resolution asking Orleanians to observe Sunday, Sept. 10, and Sunday, Sept. 17, as days of special fasting and prayer for "peaceable and lawful solution to the problems which confront our community as a result of racial tensions."

BACK 'DECLARATION'

The Federation also gave its support to the Committee for Louisiana's "Declaration of Principles" relating to the desegregation problem.

And City Councilman James E. Fitzmorris Jr., added his support to the committee's action and said he will urge the executive branch of the city government to insure "strictest obedience to the law to the end that our city may avoid damage to our reputation as a progressive law abiding community."

Supt. Giarrusso said New Orleans "will again be the center of attraction" when schools open Thursday.

"The eyes of the world will be focused on our city as millions of people watch with keen interest to see how this situation will be handled," he said.

"The role of the police department is clear cut — to preserve the peace — to maintain law and order. It is not for the police department to determine the merits or demerits of desegregation of our public schools.

"However, the people of our great city also have a duty and responsibility.

"I believe we have as much civic pride as any city and we have an obligation to ourselves, to our many friends outside of New Orleans and to the world to prove that we are capable of handling our own affairs, and that we will reach a successful conclusion to this trying problem in a rational and intelligent manner.

"It is of vital importance that we create the proper image of our city.

"To accomplish this objective, the police department will have to enforce certain restrictions and regulations. Our experience last year dictates that the police do their utmost to have an atmosphere of calm in the areas immediately surrounding the schools.

"We need the co-operation of all our citizens and with such co-operation our task will be a lot easier."

Only William Frantz and McDonogh No. 19 schools, desegregated last November, will take in Negro pupils Thursday.

Four others, the Robert M. Lusher, McDonogh No. 11, Judah P. Benjamin and Andrew H. Wilson schools, are expected to begin desegregation about mid-September.

Giarrusso said he has not asked for the help of state police "or anybody else" in the situation.

He would not say if the Negro pupils will be accompanied to the schools by city police or deputy US marshals.

Executive assistant district attorney David McNeill said his office is ready to give expeditious attention to any police complaints arising near the schools.

Giarrusso, meanwhile, said newsmen will be allowed inside the barricades at the schools but not on the school grounds or inside the buildings.

Riecke, in his letter to school employes, said "it is our collective responsibility to furnish the best possible education "for the 93,000 children of the system.

"It is the genuine belief of the Orleans parish school board that we could not have a more devoted corps of employes," he said.

"At the same time, it is important to recognize that public education in New Orleans, as in the rest of the South, is going through a trying period.

"It is imperative for our community to meet its problems within the public school system, for which no adequate substitute has ever been found for the majority of citizens."

The desegregation issue, he said, must be resolved "without impairing the high standards set in the schools." He said school employes can be "extremely effective" in bringing facts in proper focus to the public.

The Federation of Churches, in a resolution, said: "The people of God must stand for the right and the churches have an obligation to make clear what the right is, as far as the Holy Spirit makes it known to them."

Fitzmorris, in a letter to leaders of the Committee for Louisiana, complimented the committee on its declaration "for providing responsible leadership on an issue which has caused grave anxiety to our people."

The committee, made up of more than 300 business and professional leaders Thursday issued the declaration, saying public education must be preserved and preservation of law and order requires compliance with the supreme court ruling on segregation.

Court Strikes Down La. School Closing Law

NEW ORLEANS, La. (AP) — A three-judge federal court Wednesday struck down Louisiana's school closing law—which permitted school districts to vote in favor of abandonment of public schools faced with integration orders.

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the school closing law, but did not rule the grants illegal.

"This is not the moment in history for a state to experiment with ignorance," said the opinion by Judge John Minor Wisdom of the U.S. 5th Circuit Court of Appeals and U.S. Dist. Judges J. Skelly Wright and Herbert W. Christenberry.

Must Expect Scrutiny.

"When it does, it must expect close scrutiny of the experiment."

The court ruled that the "local option" law passed by a special 1961 session of the Louisiana Legislature violated the equal protection clause of the 14th Amendment on two counts.

"It is a transparent artifice to deprive the (Negro) plaintiffs of their constitutional right to attend desegregated public schools," and since the state provides public schools in other parishes closing the schools in St. Helena would discriminate against the children in that parish, regardless of race, the opinion said.

The action was filed by Negro residents of St. Helena, a rural parish 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwhelmingly voted to close schools rather than to submit to integration.

The parish schools have already opened for the fall term on a segregated basis.

However, Wednesday's opinion did not touch on the due process clause or the maintenance of public school systems by a state.

The court said it scrutinized the provisions of the local option act in connection with other segregation measures passed by the state legislature—especially the grant-in-aid law. That law would give money to children to attend private, nonintegrated schools when public schools are ordered desegregated.

The whole segregation program is constitutionally self-defeating, the court said, since it involves "such extensive state control, financial aid, and active participation that in operating the program the state would still be providing public education."

"The state might not be doing business at the old stand, but the state would be participating as the senior, and not silent, partner in the same sort of business. Continuance of segregation at the state's public-private school, therefore, would be a violation of the equal protection clause."

The judges pointed out that without active state support of private schools in St. Helena—which now receives 97.1 per cent of its operating revenue from the state—would mean the end of public school education for all children in the parish, white or Negro, except for a handful of well-to-do white children.

"To speak of this law as operating equally is to equate equal protection with the equality Anatole France spoke of: 'The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.'"

DESPITE U.S. COURT Louisiana Sticks To Private School Plan

NEW ORLEANS, La. (AP) — The St. Helena decision won't stop Louisiana from carrying out its private school plan, but the state's grant-in-aid program may have to be revamped.

This was the opinion of two key state segregation leaders today after a three-judge federal court struck down Louisiana's local option school closing law, ruling Wednesday that the state cannot close some schools and keep others open.

It issued a temporary restraining order forbidding St. Helena Parish (County) from abandoning its public schools.

Rural St. Helena—some 60 miles north of New Orleans—voted overwhelmingly this summer to authorize school closing rather than accept integration. Some 1,400 white voters were registered and just over 100 Negroes.

"This sort of election," said the court, "is like having only the cats vote on a program for kittens and young mice."

Chairman Frank Voelker Jr. of the State Sovereignty Commission said the court's decision was, in part, "inaccurate, misleading and highly irritating."

But, he said, grants-in-aid are apparently entirely legal so long as public schools are not closed.

"They are not closed in Louisiana and the state is making no effort to close them," Voelker said. "I do feel, however, our present grant - in-aid program needs considerable revision."

Louisiana has set up machinery to permit students to accept tuition grants to go to private segregated schools rather than to integrated schools.

Integration has been ordered in St. Helena and East Baton Rouge parishes, but no dates have been set.

State Sen. E. W. Gravolet Jr., the vice chairman of the Sovereignty Commission, called for an immediate statewide program of grants-in-aid. Though an enabling law has been passed, the state has not implemented it.

The federal judges — all from New Orleans—ruled the state local option law violated the 14th Amendment's equal protection clause.

"This is not the moment in history for a state to experiment with ignorance" the court said "When it does, it must expect close scrutiny of the experiment."

The ruling was handed down by Judge John Minor Wisdom of the U.S. 5th Circuit Court of Appeals and U.S. District Judges J. Skelly Wright and Herbert W. Christenberry.

Violates 14th Amendment

The court ruled the law violated the 14th amendment to the Constitution on two counts.

"Most immediately it is a transparent artifice designed to deny the plaintiffs their declared constitutional right to attend desegregated schools," the ruling said.

"More generally, the act is assailable because its application in one parish, while the state provides public education elsewhere, would unfairly discriminate against the residents of that parish, irrespective of race."

The opinion, given by Judges John Minor Wisdon, Herbert W. Christenberry and J. Skelly Wright, said "This is not the moment in history for a state to experiment with ignorance."

Held State Function

"There can be no doubt about the character of education in Louisiana as a state, and not a local, function. The Louisiana public school system is administered on a statewide basis, financed out of funds collected on a statewide basis under the control and supervision of public officials exercising statewide authority . . ." the ruling said.

The ruling did not consider the question of whether a state must provide public education. In earlier court action on the case, the judges asked the attorneys-general of the 50 states for arguments on whether a state was obligated to provide public education.

Twenty-eight states submitted opinions—11 saying there was nothing in the Constitution requiring a state to give public education and 17 taking the opposite stand.

Court Outlaws School Options

Louisiana Segregation Law Ruled Unconstitutional By U.S. Judges

By United Press International

NEW ORLEANS, Aug. 30.—A three-judge Federal Court Wednesday ruled unconstitutional a Louisiana local option law on school desegregation — perhaps the South's last barrier against Federally ordered integration.

Louisiana and other Southern states had hoped the principle of local option elections would maintain segregation by a system of state grants-in-aid to finance private schools.

The ruling nullified a law passed by a special session of

NEW ORLEANS

U. S. Court Voids Louisiana Law To Close Schools

NEW ORLEANS, La. (AP) — A three-judge federal court Wednesday struck down Louisiana's school closing law—which permitted school districts to vote in favor of abandonment of public schools faced with integration orders.

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the school closing law, but did not rule the grants illegal.

"This is not the moment in history for a state to experiment with ignorance," said the opinion by Judge John Minor Wisdom of the U.S. 5th Circuit Court of Appeals and U.S. Dist. Judges J. Skelly Wright and Herbert W. Christenberry.

"When it does it must expect close scrutiny of the experiment."

The court ruled that the "local option" law passed by a special 1961 session of the Louisiana Legislature violated the equal protection clause of the 14th Amendment on two counts.

"It is a transparent artifice to deprive the (Negro) plaintiffs of their constitutional right to attend desegregated public schools," and since the state provides public schools in other parishes closing the schools in St. Helena would discriminate against the children in that parish, regardless of race, the opinion said.

The action was filed by Negro residents of St. Helena, a rural parish 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwhelmingly voted to close schools rather than to submit to integration.

The parish schools have already opened for the fall term on a segregated basis.

The judges, in a rare move, had asked the attorneys general of the 50 states to submit "friend of the court" briefs in the case outlining their view in the case, including the duties of a state to establish and maintain public education.

Race Peace Aim In New Orleans

Repetition Of Last Year's Violence At Schools Not To Be Tolerated

By United Press International

NEW ORLEANS, Sept. 1. — The sporadic violence which accompanied last year's first attempt at school desegregation in New Orleans will not be tolerated this year, Police Chief Joseph Giarrusso said Friday.

At a meeting outlining the ground rules for news media coverage of school opening next week, Chief Giarrusso said the areas around each of the six previously all-white schools to which Negroes will be assigned this year would be sealed off for a block in all directions.

Newsmen will be permitted beyond police lines unless conditions dictate otherwise, he said.

No Loitering

"No loitering or display of agitation will be tolerated," said Giarrusso. He announced that the 1,100-man police force will begin 12-hour shifts when school opens Thursday to insure adequate personnel to handle any trouble.

But the chief said he did not anticipate any trouble. He said he believed the lessons learned with the trouble-plagued desegregation of two schools here last year "have taught us all something."

"I think community leadership has asserted itself," he said, "and that things will be peaceful this year."

Chief Giarrusso warned agitation of any kind would result in prompt arrest.

In a prepared statement, Chief Giarrusso said:

"The eyes of the world will be focused on our city as millions of people watch with keen interest to see how this situation will be handled. . . .

Complex Problem

"I believe that we have as much civic pride as any city, and we have an obligation to the world to prove that we are capable of handling our own affairs, and that we will reach a successful conclusion of this trying problem in a rational and intelligent manner. . . .

"The problem will be more complex than the one handled in the previous term. This will be brought about by the expansion of integrated schools from two to six. . . ."

About 10 first grade Negro children have been assigned to four more white schools. Last year, irate white parents forced a complete boycott of McDonogh 19 where three Negro children were enrolled. About a dozen white children attended William Frantz School with one Negro child.

White parents, mostly mothers, frequently picketed the two schools last year and shouted insults at the United States marshals escorting the Negro students to classes. Chief Giarrusso said such demonstrations would not be tolerated this year.

The police chief said about 60 police officers would be assigned to keep order at each of the desegregated schools beginning Thursday when classes open. However, the school board has announced the Negro children will begin classes later, probably the following week. About 60 United States marshals also will be on hand.

VIOLENCE IN MIX BARRED--SCHIRO

Handling School Desegregation Arranged

Mayor Victor H. Schiro asserted Thursday that "no violence will be tolerated "in connection with school desegregation in New Orleans.

"I have no alternative but to carry out my oath of office and furnish protection to all of the citizens of the community," Schiro asserted.

He made the statement after a meeting at City Hall late Thursday afternoon with representatives of the Orleans parish school board at which he said plans for handling the school desegregation situation were discussed.

Attending the meeting were Schiro, Louis G. Rieckes, school board president; Theodore H. Shepard, vice-president; Lloyd J. Rittiner and Matthew R. Sutherland, board members; O. Perry Walker, school superintendent; Samuel I. Rosenberg, school board attorney; city chief administrative officer Glenn P. Clasen, Police Supt. Joseph I. Giarrusso, and Assistant Police Supt. Joseph A. Guillot.

OPTIMISM EXPRESSED

Giarrusso said following the meeting that he will meet at police headquarters at 10 a. m. Friday with representatives of the press and other news media to lay down the ground elurs for news coverage of the school desegregation situation. At that time he expects to be able to disclose police plans for dealing with the situation.

However, both Schiro and Riecke expressed optimism that there will not be a recurrence of the breaches of the peace which marked the admission of Negro children into two hitherto all white schools last year.

"We met with the school board and the heads of our police department to discusse the future integration situation and after hearing Chief Giarrusso's plans for the coming week, we feel that he is well qualified to offer citizens full protection regardless of how the situation develops," Schiro said following the meeting. The session lasted an hour and a quarter behind closed doors in the mayor's office.

However, Schiro expressed the belief and the hope that the precautions which will be taken by the police department will prove to be unnecessary and that "New Orleans will come through with flying colors."

Riecke asserted that "there were a lot of details that had to be worked out so that the school board and the mayor's office and the police department could co-ordinate our plans" in explaining the purpose of Thursday afternoon's meeting.

SEES CHANGE IN FEELING

"We were satisfied with our discussion here," the school board president continued. "We dont' believe we will have any trouble here. We believe that the people of New Orleans are law abiding — just as law abiding as those in Atlanta."

Alluding to the admission of Negro children to the first grade in McDonogh No. 19 and William Frantz schools, Riecke asserted that since that time "I think the feeling of the community has changed."

"I think last year the people felt that every effort had not been made to prevent desegregation to the schools and now they feel that everything possible has been done," he added.

"I think that now they realize that it is the law of the land and our people are just as law-abiding as the people of Atlanta, Dallas or anywhere else."

Rittiner, who was school board president during last year's school desegregation crisis, Thursday expressed the belief that there were two key factors in Atlanta's peaceful desegregation of schools this week.

KEEPS DOWN TROUBLE

First, police provided firm law enforcement and tolerated no activity by trouble makers.

Second, parents and children resisted attempts at intimidation to prevent attendance at desegregated schools.

The Atlanta experience proved that strong law enforcement and keeping people from congregating around schools kept trouble to a minimum, Rittiner said.

"Parents wouldn't let anyone deprive their children of food," Rittiner asserted. "Why would they let anyone take away their right to an education?"

Rittiner added that "I have complete confidence that Supt. Giarrusso and his men can and will handle any situation which arises. They have learned from last year's experience and they have men and dogs amply trained to deal with trouble makers."

WHITE BOYCOTT RECALLED

When classes begin in the public schools on Sept. 7 following registration on the two preceding days, Negro children will enter the two schools which prior to last year had been all-white schools. They are the McDonogh No. 19 and Frantz schools to which Negroes were admitted last year. The admission of three Negroes to the McDonogh No. 19 resulted in a complete white boycott of that school, while only about a dozen white children continued to attend the Frantz school after one Negro child was admitted there.

At a time to be announced by the school board after classes are in operation at all public schools, less than 10 Negro children will be admitted into first grade classes at four other all-white schools —Robert M. Lusher, McDonogh No. 11, Judah P. Benjamin and Andrew H. White.

The United States justice department in Washington has announced that 60 deputy marshals who have been training for the past two weeks in Greenville, S. C., will be moved into Camp Leroy Johnson on the lakefront over the Labor Day week end.

'NO NEED FOR MARSHALS'

Their presence was requested by the United States district court for the Eastern district of Louisiana and they will be available if called on by the judges for service.

"I see no need for these marshals to be sent to New Orleans, except that perhaps housing facilities are readily available at Camp Leroy Johnson and they might possibly be needed in other parts of the state," Mayor Schiro said Thursday.

"As I have said on previous occasions, we were very confident that Chief Giarrusso and members of our New Orleans police department are quite capable of taking care of any emergency, should one arise. Rest assured, our police department is well equipped and qualified in police duties.

"Most of all, in these trying times, we call on every citizen of the commmunity to observe the litter and the intent of the law and to uphold civic pride in New Orleans. I do not expect any difficulty to arise in New Orleans."

W. J. Andrews, United States mashal in Atlanta, said that no additional deputy marshals were assigned or requested in connectio nwith the school desegregation situation in that city.

"After checking into police preparations, we felt they had the situation in hand," said Andrews.

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LOUISIANA

SEPT.

U.S. JUSTICE DEPARTMENT SEEKS
END OF STATE AID TO WHITE SCHOOL

U. S. Seeks End of State Aid to White La. School

Washington Post C A2

Wed 9-6-61

United Press International

The Justice Department asked a Federal court yesterday to prevent Louisiana from maintaining a segregated school for New Orleans white children in adjacent St. Bernard Parish (county).

Washington D.C

Attorney General Robert F Kennedy announced the filing in New Orleans Federal District Court of a petition seeking the action. The petition alleged that the state has sought to circumvent a 1960 New Orleans court desegregation order by financing a new segregated school in the nearby parish.

About 700 white students boycotted the two New Orleans elementary schools—William Frantz and the McDonogh No. 19—when they admitted Negro students last Nov. 14.

According to the Government's petition, some 300 white students from the desegregated New Orleans schools attended the Arabi Annex School.

Although the school was privately organized by the parents of the students, the Government said, it is now supported by the State and run by the St. Bernard Parish School Board.

Injunction Asked

The Government asked the New Orleans Court to enjoin Louisiana from financing racially segregated schools in St. Bernard Parish for New Orleans students. It also asked for a court order against racial discrimination in any St. Bernard Parish schools which accept New Orleans students. School desegregation has not been ordered in St. Bernard Parish.

Kennedy said, "The State of Louisiana and the St. Bernard Parish School Board nullified the effectiveness of the desegregation orders in Orleans Parish merely by shifting the educational site.

"It appears that a similar effort will be made this year," he added. "Therefore, the Government is asking for a court ruling to prevent such interference with the orders of the Court."

According to the petition, the Louisiana State Legislature encouraged plans for the Arabi Annex school and appropriated $300,000 to reimburse the St. Bernard School Board for money it spent on it.

School Opened Dec. 7

The Arabi Annex School opened Dec. 7, 1960, with enrollment limited to white children from the first three grades at McDonogh and William Frantz, the Government brief said.

The Justice Department acted as a "friend of the Court" in the original suit filed by Negro parents to desegregate New Orleans schools.

Kennedy noted that last Nov. 30 the Court authorized the Justice Department to take any action it deemed appropriate in connection with school desegregation there.

He said today's petition does not challenge the State's authority to permit students to withdraw from the public school system. But he said it does "challenge the action of the State in shifting students from schools subject to court desegregation orders to other schools being operated in the same unconstitutional manner which the court orders had enjoined."

14d(1) 1961 LOUISIANA NEW ORLEANS

SCHOOL LEADERS TO BE HONORED

Testimonial Planned for Redmond, 4 of Board

Four Orleans parish school board members and the public schcools' superintendent will be honored Monday at a testimonial dinner at 7 p. m. in the Roosevelt hotel's International Room.

Dr. Paul de Camp, a spokesman for the sponsoring group, said the dinner has been arranged by private citizens acting independently of any organizational affiliations.

School board members to be honored "for their labors in behalf of public education" include all members except Emile Wagner who has split with the rest of the board over the public schools desegregation issue.

To be honored are board president Louis Riecke, board members Matthew Sutherland, Theodore Shepard and Lloyd Rittiner, and Dr. James A. Redmond, superintendent of public schools.

Dr. de Camp said between 1500 and 1600 tickets have been sold at a cost of five dollars each. Receipts will be used solely to pay costs of the dinner, he said.

Principal members of the sponsoring group, according to Dr. de Camp, include himself, Ralph N. Jackson, Barney Morel, Fred B. Wright, the Rev. Alex Hunter, Dr. Gene L. Usdin, David L. Flemming and C. D. Brown.

Principal speaker will be New Orleans attorney Harry Kelleher, Dr. de Camp said.

"Response to the idea of a testimonial banquet, conceived less than two weeks ago, has been both spontaneous and gratifying," he said, adding that it seemed certain attendance would comprise a strong cross-section of New Orleans citizens.

WIDER BOYCOTT BREACH URGED

Others Asked to Send Children to Frantz

Public schools enter the fourth day of the second semester Monday, a white boycott at integrated McDonogh 19 school broken for the first time since Nov. 17.

A leader of the movement to keep schools open urged Sunday that other parents follow the lead of the father who took his nine-year-old son to McDonogh Friday to break the boycott.

"Now is a good time for children to return to school," said Mrs. N. H. Sand, president of Save Our Schools, Inc.

"The new semester is just beginning and the ice has been broken at McDonogh 19. At both Frantz (the other desegregated school) and McDonogh 19, the teachers are ready and waiting for their students.

"Those children how attending classes there like being at their school very much."

The superintendent of Orleans parish public schools, Dr. James F. Redmond, and the McDonogh principal, John A. Stewart, were noncommital when asked if they expected more students Monday.

But Dr. Redmond said he thought the boycott would dissolve as time passes.

He said he thought parents would "sicken" of the trouble of sending their children by bus to schools in St. Bernard parish.

Gregory Thompson, the boy who attended McDonogh Friday, had been going to school in St. Bernard. His father said he was "tired of seeing my boy go over the same work he did last year."

Only three Negro girls had been going to McDonogh since shortly after the school was desegrated Nov. 14. One Negro girl has attended Frantz, where white attendance last week was seven studentss.

TWO WHO BROKE BOYCOTT LEAVE

Thompsons Quit N.O. for Undisclosed Point

The two white boys who broke a 10-week-long boycott of desegregated McDonogh No. 19 school failed to appear for classes on Wednesday.

The father of the boys, drugstore clerk John N. Thompson, withdrew his sons from the school and late Tuesday night left the city for an undisclosed location.

Confirmation that Thompson had moved came Wednesday morning from J. M. Engster, Louisiana division manager of the Walgreen drugstore chain. Thompson was an employe of the chain.

ASSURED OF JOB

Through a secretary, Mrs. Ann Monjure, Engster said Thompson had requested a transfer.

"He said he wanted to leave," Engster said. "The boy has been pretty upset. He has been assured of a job.

"He said he wanted to keep quiet about where he is going until he is ready to tell. It was his own desire to leave."

After the Thompson boys returned to McDonogh, Thompson's landlady ordered him to leave his Caffin st. home by next Tuesday.

Gregory Thompson, 10, a third-grader, first entered the school last Friday. His brother, Michael, 8, in the second grade, joined him on Tuesday after recovering from an asthma condition.

SEEN LEAVING IN TRUCK

While they were attending classes at McDonogh, United States deputy marshals provided transportation.

It was not known how the Thompsons left New Orleans. Nor was it determined exactly when they left.

His landlady, Mrs. Margaret S. Lezina, reported they were still here at 11:10 p. m. Tuesday. Neighbors reported he was seen leaving the city in a truck shortly after that.

It was reported that he was headed for his former home in Sylacauga, Ala., a cotton mill town about 40 miles southeast of Birmingham.

Only a handful of demonstrators watched silently outside the school on Wednesday as federal officers escorted three Negro girls into the building.

At William Frantz Elementary school, the other integrated public school, 10 white students and one Negro were reported in attendance.

All the Negroes are in the first grade.

Pressure Moves Push Out Family

New Orleans Segregationists Feel They've Scored New Victory

By United Press International

NEW ORLEANS, Feb. 1.—Jubilant segregationists whooped it up Wednesday after harassing out of town a white family which dared send two boys through a white boycott to integrated McDonogh 19 School.

Alabama-born John N. Thompson, 33, packed up his wife and six children during the night and fled segregationist pressures. His sons, Gregory, 9, and Michael, 8, for the past three school days attended McDonogh.

They were the first white children to go to the school with three Negro first grade girls since Nov. 17, the third day of Federally-ordered integration.

Destination Unknown

Walgreen's Drug Stores, which employed Thompson as a $70-a-week assistant soda fountain manager, announced the ex-GI had requested and received a transfer away from New Orleans. The firm would not disclose where Thompson was going.

"Well, we got our boycott again," white mothers shouted when the news of Thompson's surrender broke Wednesday morning.

The triumph sparked new segregationist vigor, which had appeared waning, and white housewives vowed to establish a complete white boycott at the city's other integrated school, William Frantz.

A lone Negro first grade girl attends Frantz with 10 white children. The parents of those white children have resisted threats, vandalism and economic pressures since the beginning of integration to keep their sons and daughters in the public school.

Thompson, an ex-Gi from Sylacauga, Ala., enrolled Gregory at McDonogh Friday. Tuesday, Michael joined his brother at the school.

Picket Store

The brief crack in the boycott apparently resulted from the concerted anti-integration effort to torment the Thompsons. Their landlady ordered them out of their $70-a-month, four-room apartment. White mothers from McDonogh school district picketed a Walgreen's store, carrying signs saying, "Walgreen's favors integration."

The women promised: "We'll get him fired it it takes a year."

Disheartened school officials, who had hoped the McDonogh break in the boycott would signal a return of white students to the McDonogh and Frantz schools, would make no comment on Thompson's departure.

The Alabama man, who has only a ninth-grade education, had indicated as late as Tuesday night that he would stay in New Orleans and fight the segregationists' efforts to dislodge him.

Issues Warning

"Anybody who bothers my home is gonna have to mess with me," he had warned.

The Thompsons moved into the McDonogh district in December. The two boys first attended a segregated school in nearby St. Bernard Parish (county), because their mother, 27-year-old Mary, feared they might be harmed if they went to the integrated school.

But after enrolling Gregory at McDonogh Friday, the couple said they did so because "we think the teaching is better here." Most of the more than 1,000 white children formerly attending McDonogh and Frantz have transferred to the makeshift school in St. Bernard Parish called "Arabi Annex."

PUPIL IS JEERED AT M'DONOGH 19

Third-Grader Breaks Boycott Again

Between 30 and 40 demonstrators were on hand at McDonogh No. 19 school Monday to watch a nine-year-old boy break the white boycott of the school for the second time in 10 weeks.

Gregory Thompson, a third-grader, was escorted to and from the desegregated school by two federal marshals.

When he arrived about 8:10 a. m. for classes the noisy demonstrators rushed across St. Claude and onto the neutral ground. But police ordered them back.

In the afternoon the same hecklers were present. They remained silent, however, as marshals picked up the Thompson boy and the three Negro girls also attending the school.

Meanwhile, the Thompson boy's father, 33-year-old John N. Thompson, was ordered by his landlady to leave his crowded four-room apartment by next week.

"I told him I want my house," Mrs. Margaret S. Lezina said. "I don't want any trouble. What he did disturbed the whole neighborhood."

Mrs. Lezina quoted the Thompsons as saying they would be out of the apartment by Feb. 7.

"I have other properties here," she said, "and the tenants are talking about moving. I thought it would be better for one family to leave than to see several move away."

Gregory, one of six children in the Thompson family, first broke the boycott at McDonogh last Friday. His attendance marked the initial crack in a white boycott of the school that had been solid almost since desegregation was effected Nov. 14.

Despite temperatures in the mid 30s, the demonstrators turned out to jeer the boy's arrival. They shouted, "Go home, traitor, go home."

When they surged across the street, about 10 policemen ordered them back onto the sidewalk and then patrolled the area.

Police Supt. Joseph I. Gia-

Kennedy Hails Those Striving to Integrate New Orleans Schools

From Our Wire Services

WILLIAMSBURG, Va., Feb. 25. — President Kennedy strongly indorsed Saturday the efforts of educators, parents and other citizens who are trying to carry out court-ordered integration of New Orleans public schools in the face of violent opposition.

He praised them for "quiet intelligence and true courage" and firmly declared: "This is no time for schools to close for any reason, and certainly no time for schools to be closed in the name of racial discrimination."

RECALLS PLEDGE

Mr. Kennedy's telegraphed statement to the U. S. Civil Rights Commission's third annual conference here on schools in transition, was an obvious follow-up to his recent pledge to "use the moral authority" of the Presidency in school desegregation disputes.

It also follows the filing by the Justice Department of a civil contempt action to compel the State of Louisiana to release $350,000 in Federal funds withheld from the New Orleans School Board since September.

The President said Saturday of those in New Orleans who have tried to carry out the desegregation order: "The whole country is in their debt, for our public school system must be preserved and improved."

'ON FRONT LINES'

"Let me also pay tribute to the school children and their parents, of both races, who have been on the front lines of this problem," Mr. Kennedy said. "In accepting the command of the Constitution with dignity, they, too, are contributing to the education of all Americans."

In his message to Dr. John Hannah, commission chairman, the Chief Executive said "our very survival as a free nation" depends on preserving and improving the public schools.

If the United States is to give world leadership, he said, "we must be true to the great principles which distinguish us from our adversaries in the world."

INTEGRATION FOE SPEAKS

His comments clashed with those of a Virginia school official from Prince Edward county, where public schools have been closed for two years to avoid integration.

W. Edward Smith, Prince Edward School Board chairman, told the commission that his people are unwilling to support an integrated school. He said they are determined their children will not attend integrated schools. The people, Smith said, have "no confidence either in the conditions that might be maintained in an integrated school or in the educatonal advantages that might be given in such a school."

'TO THE BITTER END'

Another Virginia school official told the commission that bitterness still lingers despite the passage of three years since the desegregation row closed Warren county schools.

Warren Superintendent Q. D. Gasque said some of the bitterness has hardened into a "resolution to fight (integration) to the bitter end." The schools have reopened since on an integrated basis.

U. S. Aid To Education Draws Council Protest In Louisiana

The South Louisiana Citizens' Council has vigorously opposed all federal aid to education as being unconstitutional, unnecessary and unprecedented in American history.

In a statement issued by Joseph E. Viguerie, president, and Jackson G. Ricau, executive director, the Council claimed "the controversy over proposed federal aid to private and parochial schools is a smokescreen that is clouding and distorting the basic fallacy of federal aid to any education.

"It is unconstitutional because the Tenth Amendment of the Constitution expressly reserves to the states the control over public education, a power the several states never surrendered to the United States. Therefore it is the law for the states to control education, a fact which every senator and congressman and public official in Washington must know and abide by, as they are sworn to uphold the Constitution," the statement said. "Federal aid to education would mean federal control of education," the Viguerie-Ricau statement said. "This point is spelled out very clearly in the National Defense Education Act of 1958, which places certain strictures on state and local schools receiving federal aid. Wherever federal money goes, federal rule follows.

"Here in the South we might add to this by saying, 'federal aid to integrated education.' Most of this so-called federal aid money is earmarked for Southern schools, and since forced integration, or compulsory congregation, seems to be such a nemesis of the federal government, it is obvious that this deceptive federal package would be dangled before the public schools and given or loaned only to those institutions which hue the federal line.

"Already there is much maneuvering by the radicals in Congress to cut off federal aid, if any, from the schools which pursue the policy of segregation.

"There are all kinds of statistics to show that federal aid to schools is not necessary and that any school problem can be properly handled at the local and state level.

"The conflict between church and state, particularly in the fi— of education, is not a new o— forefathers took the po— taxes must be collected public school systems; they [illegible] forbid the existence of religious schools but said they were a separate entity altogether.

"Despite the dual tax burden, private and religious leaders organized their schools with unprecedented success.

"As the Catholic leadership seems to be most vocal in seeking federal aid for parochial schools, we can cite history to prove that the zealousness of the Catholic people for religious education swept aside all obstacles. An even greater factor has been the heroic devotedness of the Catholic teaching orders, without whose self-sacrifice the Catholic schools could not exist.

"It is imperative to emphasize that federal aid to any education is unconstitutional, but that federal aid to religious schools would mean the end of religious freedom, a tragic dilution of their apostolic mission and a dissolution of their high moral principles without which they would be vulnerable to communist infiltration and eventual control.

"It is amazing that so many of the clergy are willing to swap their independence for a mess of federal pottage.

"In simple terms, the federal government collects taxes from the people, wraps the money in a gift package labeled 'federal aid to education' and offers the money back to the public schools with certain strictures and restrictions that smack strongly of federal tyranny.

"We urge every American to write to his Senator and Congressman in Washington and insist he keep his oath to uphold the Constitution of the United States by voting against this colossal hoax — federal aid to education," the council statement concluded.

Federation Planned

First Meetings in 1961 Set Race Unity

The Courier Pittsburgh, Pa. Sat. 1-7-61

By MARCUS NEUSTADTER JR.

NEW ORLEANS—The advent of the new year found Negroes of this city more united than ever before in the history of this metropolis, with its laissez-faire attitude. Headlining the 1961 activities was a New Year's Day mass religious service sponsored by the New Orleans Interdenominational-Ministerial Alliance in the Municipal Auditorium.

An organization meeting of Negro leaders in all areas has been set for Jan. 12, probably on the campus of Dillard University, to form a council of federated organizations.

Dillard was the scene of the recent "summit meeting" sponsored by the New Orleans America, which led to the unified action.

Dr. Daniel C. Thompson, executive vice president of the New Orleans Frontiers and head of the Department of Social Science at Dillard, reflected that shortly following the U. S. Supreme Court decision of 1954 on public school integration, the Frontiers and another civic and service clubs, the Studs, had organized a Coordinating Council of Greater New Orleans. The council vanished after functioning for a short period.

■

DR. THOMPSON predicted that the "recent savage-like demonstrations" by white women around the two formerly white elementary schools, in protest to the enrollment of four little Negro girls, and the acts and antics of Louisiana legislators have compelled Negroes not only in New Orleans, but throughout the state, to "come together."

Thus, the second phase of the leadership conference, Jan. 12, for the purpose of organizing will be successful, he said.

SCHOOL GOES ON IN NEW ORLEANS

N. Y. Times

Integrated Pupils Receiving Tutorial Instruction—Teacher Morale High

New York N.Y. Jan. 15-61

By LEONARD BUDER

Special to The New York Times.

NEW ORLEANS, Jan. 14 — The William Frantz elementary school is a modest-looking three-story building about two and one-half miles northeast of the center of this city.

When it opened for the fall last September it had eighteen teachers and about 570 pupils. The voices of children and teachers could be heard through the open windows of the classrooms; shouts and laughter came from the playground. Passers-by could glimpse traditional scenes of children at study.

Today, the school has eighteen teachers tachers but its enrollment consists of only thirteen children. The building is now largely silent.

Brown shades cover most windows. A police car is parked alongside the building twenty-four hours a day.

William Frantz was one of two New Orleans public schools that were desegregated on Nov. 14 under Federal court orders. All told, four Negro first-graders, all girls, went to the two schools. Their appearance brought about an almost total boycott by white pupils at William Frantz, and a complete boycott at the second school, McDonogh 19.

The latter school, which is about a mile east of William Frantz, now has a total student body of three Negroes. It normally had about 460 pupils.

White Pupils Transfer

The white pupils who normally attended these schools have reportedly transferred to private schools or to public schools in an adjoining parish (county).

The end of segregation at the two schools was marked by angry demonstrations and some serious incidents, but the situation has been relatively quiet since before the Christmas vacation. Even so, United States marshals take the Negro girls to and from school each day and the city police have assigned a detail to both buildings.

But although matters have quieted at the two schools—crowds no longer hoot and jeer the Negro pupils and the twelve whites at William Frantz who continue to go to class—the battle over desegregation has not.

Last week the Legislature made its second attempt to remove the local school superintendent, Dr. James F. Redmond, and its sixth attempt to replace the elected school board.

Courts Restrain Moves

Federal court orders restrained both moves. Dr. Redmond and the school board had been under state fire for complying with the court's desegregation order.

The school system, meanwhile, is being squeezed financially by the state. The Legislature cut off state funds to the city schools—which amount to about 60 per cent of the system's budget—and tied up other school funds. The state body subsequently approved the payment of salaries to teachers here, with the exception of those at William Frantz and McDonogh 19.

The teachers at the two desegregated schools received advances on their November salary, after an anonymous source lent funds to the school board. They received their December checks from board funds, after a Federal court unfroze money on deposit in banks here.

Against this backdrop, the school system is trying as best as it can to meet its educational responsibilities to its more than 40,000 white and more than 50,000 Negro pupils. A normal program is under way at the system's 116 other schools, although classes that would normally take up controversial issues are reportedly staying clear of the local situation.

Visits Not Permitted

A curtain of silence and secrecy shrouds the two schools directly affected by the integration controversy. Outsiders are not permitted to visit the buildings, even though one still reportedly carries a "visitors welcome" sign that was put up in happier times.

The teachers are either under instructions not to say anything or are personally apprehensive about doing so. The families of the pupils involved—both white and Negro—also do not want to discuss the subject.

Some have changed residences and obtained unlisted telephone numbers to escape the originally heavy, and now occasional, barrage of jeers, obscenities and threats.

The traditional 8:45 A. M. to 3 P. M. school schedule is in effect at both schools, and a program of instruction, largely tutorial, is being provided. At the William Frantz school, there are two boys and two girls in kindergarten, two boys and two girls (including one Negro) in first grade; two boys in the second grade, one girl in the third grade and another in the fourth, and one boy in the sixth. Under a recent law, separate classes must be provided for boys and girls.

Although there are not enough classes to go around, all the teachers are kept busy with some form of school activity. According to school administrators, their morale is good, even though they do not know where their next paycheck will come from.

Father who sent sons to mixed school moves

The Afro American Baltimore, Md. 1-14-61

NEW ORLEANS — The father of two white boys who defied the three-month segregationist boycott of McDonogh 19 Elementary School was reported Wednesday to have moved with his family to an undisclosed destination.

John N. Thompson, 33-year-old clerk at Walgreen's Drug Store, permitted his 9-year-old son, Gregory, to attend classes Friday, breaking the complete boycott of the school by white pupils which has existed since three colored first grade pupils were admitted on Nov. 14.

His younger brother, Michael, 8, was out of school on Friday and Monday because of illness. He accompanied his brother to school on Tuesday.

A few minutes later the three colored girl pupils were escorted into the school by U.S. marshals.

* * *

A CLUSTER of about 30 white spectators, men and women, watched silently from across the street as the pupils entered.

A report Friday that Mr. Thompson had been fired from his drugstore clerk's job was denied Tuesday by officials of the firm, who said that he had been transferred at his own request to another store in an undisclosed city.

About a dozen women who had been watching the arrival of the pupils at McDonogh School left the school and later picketed a Walgreen drugstore in nearby St. Bernard Parish, bearing placards reading:

"Walgreen's favors integration," and "Walgreen's tolerates integrationists."

At William P. Franz School, to which one colored pupil was admitted, ten white pupils were in class on Tuesday.

U. S. Accuses 11 in Louisiana Of Coercing a Negro Witness

New York N.Y. Times

WASHINGTON, Jan. 19 (UPI) — The Federal Government filed suit today charging eleven business men in Louisiana with using "serious economic coercion" against a Negro cotton farmer who testified at a Civil Rights Commission hearing last September.

Attorney General William P. Rogers said the suit had been filed in United States District Court at Shreveport, La.

The complaint accused the defendants of refusing to gin cotton for the farmer, Francis Joseph Atlas, 56 years old, of Lake Providence, La., and of using other forms of economic coercion against him after he testified at a New Orleans hearing Sept. 27-28 on what he described as his unsuccessful efforts to become a registered voter.

The complaint alleged that John Gilbert, sheriff of East Carroll Parish, had told Mr. Atlas that the cotton ginners of the area would not process cotton for him after his testimony. The coercion was applied, according to the Government, to discourage Mr. Atlas and other Negroes in the area from trying to become registered voters or give information to the Civil Rights Commission.

Accused of Violations

The eleven individuals, and a like number of corporations in Carroll County, were charged with violating the 1957 Civil Rights Act, which prohibits economic pressure against a citizen attempting to exercise his voting rights.

Assistant Attorney General Harold R. Tyler Jr. said: "in this case, the defendants who control the means of processing cotton and soybeans have shut off a citizen's opportunity to market his crops."

"Since this action was taken for the purpose of penalizing Mr. Atlas for his efforts to become registered to vote," Mr. Tyler said, "it is a violation of the Civil Rights Act to 1957."

The individual defendants listed in the complaint are Baxter Deal, operator of Planters Butane Heat and Power, Inc.; J. P. Brown, Gailliard Plantation Gin operator; Howard Gittinger and William T. Mitchiner, operators of Olivedell Planting Company and Olivedell Gin; John Gilbert, sheriff of East Carroll Parish; George T. Hider, part owner of Hider Brothers, Inc.; Kenner Howard, manager of Howard Gin Company; Ebert M. Norris and John Terral, Farmer's Feed and Seed Company; Luke Warren, Warren & Coody Grain Company; and Andrew L. Yerger, Outpost Gin Company.

Segregationists Continue To Hold On In Orleans

Jackson Daily News
Jackson, Miss.

By BEN THOMAS

NEW ORLEANS, La. (AP) — The woman walks her two elementary school children two blocks to board the school bus. Then she rides with them and other white children to segregated schools a mile away in neighboring St. Bernard Parish.

While Ethel Arieux, 32, wife of a truck driver, and other mothers chaperone the children on the buses, other women watch from behind curtained windows to see if any white children go into three storied McDonogh No. 19 Elementary School on busy St. Claude Avenue near the eastern limits of New Orleans.

REPEATED AT FRANTZ

A dozen blocks away, the same story is repeated every morning at William Frantz Elementary School.

The two schools were desegregated last Nov. 14 under federal court directives. For awhile, violence flared at the two schools. Then police put a cordon around the areas and pushed demonstrators away.

At Frantz, 10 white children attend classes with one Negro first grader. Before Nov. 14 the Frantz enrollment was near 600. The parents of the white children have been subjected to harassment and abuse from fighting-mad segregationists. Police protection was required at the homes of some.

Two days after McDonogh was integrated by three Negro girls—all first graders—all 480 white students had been withdrawn. In February two sons of a drug store clerk broke the boycott. They stayed for three days. Then their father left town.

Mrs. Arieux, who raises racing pigeons as a hobby, voices the sentiment of many of the parents who put their children in segregated classes in St. Bernard.

"Sure, it is inconvenient. But my children will never go to school with Negroes. I don't care what the federal courts say. But they'll get an education if I have to work my fingers to the bone to do it."

In Baton Rouge, the state capital 80 miles away, the legislature is not in session for the first time since last Nov. 4. In six special sessions, which cost taxpayer slightly more than $1 million, the lawmakers repeatedly passed measures to thwart the integration decree. The federal courts knocked them out just as fast.

LEGAL DEADLOCK

The New Orleans School integration case has settled down to a legal impasse. Each side refuses to give an inch. The schools are integrated, but white children are going to classes elsewhere. Public school teachers, unpaid for awhile during the struggle, now regularly get their checks.

The state is preparing for another legal fight over pending integration in East Baton Rouge and Tiny St. Helena parishes.

A three-judge federal court will hold a hearing Friday on a National Association for the Advancement of Colored People request to block an election scheduled April 22 in St. Helena to permit voters to voice approval of junking the public education system in favor of private, segregated schools.

Editors Note: New Orleans public schools were integrated last Nov. 14 for the first time since Reconstruction. The federal court integration order, applying to only the first grade, caused virtually all white parents to remove their children from the two affected schools. The following story brings you up to date.

Louisiana's 'Option Law' Is Challenged

The Louisiana Weekly
New Orleans, La.

The constitutionality of Louisiana's new "option" law was challenged in a Federal Court action filed by parents of Negro children in St. Helena Parish where public schools have been ordered to desegregate. The "option" law, recently enacted by the State Legislature in its fight to preserve segregated education, authorizes local school boards to call elections in which voters could authorize the closing of public schools which have been ordered to integrate.

The original suit against the St. Helena Parish School Board and J. L. Meadows, superintendent, was filed Sept. 4, 1952 by Lawrence Hall et als. On May 25, 1960, the Federal Court enjoined the defendants from requiring racial segregation in schools and ordered the desegregation of public schools in the parish, "with all deliberate speed."

This order was affirmed by the U. S. Circuit Court of Appeals on Feb. 9, 1961. The court, on Feb. 25, extended the time for the school board to apply for a rehearing until 21 days after March 2, 1961.

The State Legislature, meanwhile, enacted its new "option" law which was approved and became effective Feb. 20, 1961 and which is known as Act 2 of the Second Extraordinary Session of the Louisiana Legislature of 1961.

Last week, Attorney A. P. Tureaud, representing the plaintiffs, filed a motion in Federal Court attacking the constitutionality of the law which provides:

"In each parish of the State and in each municipality having a municipally operated school system, the school board shall have authority to suspend or close the operation of the public school system in the elementary and secondary grades after an election has first been held at which a majority of the qualified voters voting in said election have authorized such suspension or closing..."

It further provides that such election may be called on the initiative of a school board or on petition of ten per cent of the qualified electorate; that when the operation of schools is suspended, it may not be resumed unless approved after a further election, and that when schools are closed the school board may lease or sell school sites, buildings and property, and abolish school taxes.

In the petition filed last week, the plaintiffs charged that the St. Helena Parish School Board on March 1, 1961 held a meeting, advertised by the board through handbills as a "white" public meeting, at which the defendants superintendent of schools, board members and various political personages and state legislators urged closing of the parish schools under Act 2, and the reorganization of such schools as private schools.

New Orleans, La.

This was done, the petition averred, in order to prevent desegregation in accordance with the Federal Court's order.

The petition further charged that on March 2, 1961, the St. Helena school board, on its own initiative, resolved to call an election on April 22, 1961, for the purpose of determining whether to authorize the defendant board to suspend or close the public elementary and secondary schools in the parish.

The plaintiffs contend Act 2 is unconstitutional and invalid in that its purpose and effect is to deprive Negro children of their right to a desegregated education as provided by the 14th Amendment to the Constitution of the United States.

The petition describes the St. Helena school board's action as "an ingenious attempt to thwart and circumvent the order of the Court in this case requiring desegregation 'with all deliberate speed.'"

No action was taken last week on the plantiff's motion since it would require the calling of a special three-judge court and the matter must be presented to the chief judge of the U. S. Fifth Circuit Court of Appeals.

14d(1) 1961 LOUISIANA

AUGUST
NEW ORLEANS

New Orleans Doubts More School Violence

Jackson Daily

NEW ORLEANS (UPI) — Four more all-white public schools will admit Negro students here next month.

Will it mean this city can expect three times the violence, reprisal, tension and heartbreak as surrounded two schools last year?

Not likely.

The crisis has become institutionalized.

The State Legislature, which met in frenzied special sessions last year to hatch out a half-dozen schemes which proved futile against federal courts, now has a permanent committee stationed here.

The committee, packed with the most adamantly segregationist lawmakers in the state, is holding hearings this month in a hotel suite on the pupil placement system, school financing, and even school board elections.

The State Sovereignty Commission is flooding the city with literature on establishing "co-op" schools outside the city's jurisdiction where classroom segregation can be enforced.

This time, the names of the soon-to-be-segregated schools have been published, and parents wishing to transfer their children out of these schools may go through channels.

This will mean that agitators from either side of the racial issue may be on hand the day—a few days after school opens—when the Negro students begin classes.

But police will be there, too.

Chief Joseph Giarrusso has issued a statement of confidence in the city force's ability to handle any situation likely to develop this year over desegregation.

His officer corps has been through extensive courses on mob psychology, riot control and "special weapons."

Also, the force has a new element, a K-9 corps which was tried last Mardi Gras and found effective for dispersing crowds.

The dogs can be transported quickly in motorcycle sidecars with their handlers to the scene of a disturbance. In use for more than six months, the K-9 corps is an efficient arm of the force by now.

However, many residents feel there will be no need for police methods comparable with those used last year when thousands of persons had to be restrained with fire hoses when they descended on City Hall and the school board offices.

For one thing, the neighborhoods surrounding the four new schools differ from the slum-dotted Industrial Canal area where William Frantz and McDonogh 19 are located.

Not that the four are "rich kids' schools," but the average student at one of them is more likely to come from parents in white collar or executive work, possibly professional, with a higher tax bracket.

Such persons, school officials hope, will be less easily recruited into mobs, less inclined to swarm around the schools shouting obscenities and throwing rocks or eggs.

This was the scene at Frantz or McDonogh just 10 months ago. The press nicknamed the crowds "The Cheerleaders" because the mostly-female groups often chanted "two-four-six-eight" jingles in unison.

Most of the cursing screams were against U. S. marshals, who used to bring the four six-year-old Negro girls—and before it was over, the whites, too—to and from school each day.

For most of the city's school children, the question has yet to be faced. These are students of the city's Roman Catholic schools, a bigger system than the public schools.

DELAY IN CATHOLIC SCHOOLS

Archbishop Joseph Francis Rummel, the 84-year-old German-born prelate who has held his office for 26 years, has long been on record as firmly favoring racial integration in church and school.

But the ailing archbishop has taken the position that Catholic grade schools will not be integrated until the public schools have "effective" integration, and he believes that time is not yet here.

He has a point.

Not one white child was attending McDonogh 19 at the end of last school year. The school was in reality segregated, for the three Negro first-grades had the school to themselves.

At Frantz, there were only about a dozen students who stuck out the school year with Ruby Nell Bridges, the lone Negro assigned there.

The other students sponsored by a resolution of the legislature, boycotted the schools. The lawmakers rescinded the compulsory education state law to make it legal.

Many of the roughly 1,000 boycotting children just didn't go to school at all. Other hundreds found seats at a converted warehouse across the parish line where classrooms had been partitioned off.

That school, now redecorated and ready to operate on a more permanent basis, will be opened again for "integration refugees." It is called Arabi Annex and lies in the political bailiwick of Leander Perez, one of the South's most extreme segregationists.

Another school, built by private contributions, is in construction. It hopes to operate under new "co-op" statues, aided by state grants of tuition, books, transportation and lunches.

This year there are opportunities for calm. There are more alternatives for parents and children. There will be less surprise, less suspicion, and more hope for peaceful adjustment, a situation more than uncomfortable, but less than terrifying.

New Orleans School Is Picketed



United Press International Telephoto

Pickets marching yesterday outside school in New Orleans

The New York Times

NEW ORLEANS, June 1 (AP)—About seventy-five white pickets—the first in several months—turned out at William Frantz Public School today, carrying placards protesting the integration of classes.

6-2-61

Several policemen stood by as men, women and children carried placards in front of the three-story brick building. All sixteen students—fifteen whites and one Negro girl—entered the building by the rear door.

New York, N.Y.

Federal marshals accompanied the Negro girl, as has been the practice since the school was desegregated by order of Federal Judge J. Skelly Wright last Nov. 14.

The demonstration today was a marked departure from the shouting, noisy protests staged at Frantz and McDonogh No. 19 last November.

Armand Duvio, heading a drive to raise funds for private and segregated schools, said today's demonstration was to attract attention to the campaign for money.

Little Girls Who Integrated New Orleans Schools Go To 2nd Grade

NEW ORLEANS — (UPI) — Four Negro girls who set off the most hectic and critical year in the history of New Orleans public schools received promotions to the second grade and have begun their summer vacations.

For them, their parents and most of this old Creole city, the summer vacation brings at least a temporary breathing spell in one of the city's greatest crises.

Several times during the past nine months it appeared the schools would close long before summer vacation. And more than once it looked as if someone might be seriously hurt.

The 6-year-old girls braved insults, screaming women, rocks, eggs and other demonstrations to breach Louisiana's school segregation tradition last November.

The girls were identified to the public only as Tessie, Leona, Gail and Ruby. Tessie, Leona and Gail entered McDonogh 19 school last November. Immediately every white child withdrew for the duration of the school year. Ruby attended William Frantz school with about 15 white students.

A total of about 1,000 white students boycotted the two schools. Picketing, sinister telephone threats and downtow

Mixed Schools' Attendance 837

Attendance at New Orleans' six desegregated public schools dorpped to 837 Wednesday from the total of 952 who reported on Tuesday.

School board officials attributed the drop to the absence of many students observing the Jewish holiday of Yom Kippur.

The following attendance figures were released by the office of Orleans parish school Supt O. Perry Walker.

High Court Rejects La. School Delay

Will Hear Appeals Of 17 Negro Sit-Ins

WASHINGTON, Mar. 20 (AP).—The Supreme Court today rejected all efforts to balk or delay public school desegregation in Louisiana.

It agreed also to hear the appeals of seventeen Negro students convicted and given four-month sentences in connection with sit-in demonstrations at lunch counters in Baton Rouge La. Arruments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

The court's actions today in Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall desegregation in public schools were legally worthless.

Affirms Anti-Bias Ruling

The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge Federal court in New Orleans striking down a spate of anti-desegregation laws passed by the Louisiana Legislature.

In unanimously affirming this and another decision the Supreme Court today merely listed the cases by numbe. and said the lower court ruling was affirmed.

One ruling by the three-judge court was given Nov. 30. This one threw out a package of integration laws.

The other one, handed down last Aug. 29, ordered control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish (county) School Board. It also directed the school board to comply with an order last May 16 by Federal Judge J. Skelly Wright to integrate the first grade last fall. This ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

School Plan Rejected

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the Federal and state governments was finally settled.

In still another action today involving race, the court agreed to review a decision by the Virginia Supreme Court that the National Association for the Advancement of Colored People unlawfully solicited legal business for its attorneys in Virginia.

The law was passed at an extra session of the Vriginia General Assembly in 1956 at a time Viriginia was committed to "massive resistance" to public school desegregation.

Only two weeks ago, the Supreme Court refused to hear a sit-in-case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla. The court gave no explanation but some observers speculated it may have been because the twelve had not carried their case to Florida's highest courts before appealing to the Supreme Court.

Postponed Local Option Hearing Set For Friday

A special three-judge Federal Court hearing to determine the constitutionality of a Louisiana law that permits local school boards to call elections on the question of closing integrated schools has been set for Friday. The hearing, originally set for April 7, will be held in the Federal Court here.

Specifically, the hearing involves St. Helena Parish which has been ordered by the Federal Court to integrate its public schools. The parish has called an election for April 22.

Friday's hearing will be held before Judge John Minor Wisdom of the United States Fifth Circuit Court of Appeals, and District Judges Herbert W. Christenberry and J. Skelly Wright.

The court ordered the continuance at the request of Atty. A. P. Tureaud representing the Negro plaintiffs from St. Helena Parish who brought the suit.

The original desegregation suit against the St. Helena Parish School Board and J. L. Meadows, superintendent, was filed in 1952.

Friday's phase of the litigation attacks the constitutionality of Act 2 of the Second Special Session of the Legislature which allows local school boards to call elections to determine whether or not the public schools will be closed with integration.

Last week, U. S. Justice Department agents F. M. Dunbaugh and H. J. Flannery, and Louisiana Atty. Gen. Jack P. F. Gremillion spent some three hours inspecting the St. Helena voter records for possible discrimination against Negroes.

A report from the State Board of Registration two weeks ago revealed that only 1,434 voters had qualified in St. Helena Parish since the rolls were wiped clean Dec. 31, 1960. The registration at the time of the Presidential Election last November was approximately 2400 whites and 1200 Negroes. The March report showed only 14 Negroes.

Following last week's inspection of the records of St. Helena Parish vote registrar Quitman Crouch, it was revealed that the actual registration at present is 1572 including 1461 whites and 111 Negroes.

The increase over the previous report was attributed to the fact that a number of illiterates had been restored to the vote lists.

A recent census disclosed that the total population of St. Helena Parish is 9,082. It is estimated that Negroes comprise 55.5 per cent of this figure, despite the small number of registered voters.

Gremillion blames public apathy for the low registration.

Louisiana Loses Fight to Balk School Mixing

BY JOSEPH HEARST

[Chicago Tribune Press Service]

Washington, March 20—Without comment the Supreme court today unanimously upheld lower court orders that struck down efforts of the Louisiana legislature to prevent or delay integration of public schools.

The court also agreed to rule on the arrest of 17 Negro students in Baton Rouge in a sit-in demonstration under the state law that makes it a crime to act in such a manner as to "unreasonably disturb or alarm the public." This is the first time the high court has agreed to review a conviction in a sit-in demonstration.

Bar Role by Governor

In sweeping aside appeals from Louisiana for review of lower court orders, the court:

1. Affirmed an Aug. 27 decision by a special three judge federal court in New Orleans which ordered control of New Orleans schools taken out of the hands of Gov. Jimmie H. Davis and returned to the Orleans parish [county] school board. This order also ordered compliance with a previous order to integrate the 1st grade last fall.

2. Affirmed a Nov. 30 decision by the same court which swept aside an assortment of anti-integration laws hurriedly enacted by the legislature.

3. Refused a request by the New Orleans school board that it be permitted to maintain segregated schools until all litigation between the federal and the State governments on the issue is finally settled.

Get 4 Month Sentences

Those arrested in the sit-in demonstration were Negro students of Southern university, in Baton Rouge. They were arrested when they sat at all-white lunch counters in two stores and a bus station. They were sentenced to four months in jail with the provision that their sentences would be reduced to one month upon payment of $100 fines.

In their appeals, the students asserted that no state has the power to compel segregation and impose criminal penalties on those who express their dissatisfaction at being "relegated to second class status in public establishments." The law, they said, violates the 14th amendment.

Accept N. A. A. C. P. Case

In a related civil rights case, the court agreed to examine a Virginia law which regulates the practice of law, and which the National Association for the Advancement of Colored People [N. A. A. C. P.] asserts could make it impossible for it to operate in Virginia.

The statute bars solicitation of legal business by a person who is not a party to a law suit and has no direct interest in it. The Virginia courts have held that the N. A. A. C. P. has engaged in unlawful solicitation of legal business in its anti-segregation efforts.

Film Decision Stands

The court refused to reconsider its recent 5 to 4 decision that Chicago — and other cities and states—may precensor motion pictures. Times film corporation, which lost that decision against the

authorities of Chicago, asked the court to reexamine the case and was joined in the request by representatives of four associations of other means of communication. The court rejected the request without comment.

The justices also declined to review the 30 day sentence of Mrs. Vi Murphy, a reporter for the Colorado Springs Gazette-Telegraph for contempt of court when she refused to divulge the identity of the source of a news story she wrote.

Argues Press Freedom

She declined to say who gave her a copy of a petition before it was filed by Atty. John G. Gately in which an allegation was made that a Colorado Supreme court justice had accepted a bribe. The attorney general was seeking to disbar Gately.

Mrs. Murphy based her appeal on the constitutional guarantee of a free press.

Private School Switch Planned

Parish Will Vote To Avoid Mixing

Jackson Daily News

Jackson Press

GREENSBURG, La. (AP) — Louisiana's first local election to consider a shift from public to private schools to avoid integration appeared imminent today in rural St. Helena Parish near the Louisiana-Mississippi border.

Superintendent of Schools J. L. Meadows told a two-hour open meeting of about 400 parish residents Wednesday night that the school board would call an election as soon as a majority of voters have registered.

A federal court has ordered integration in the schools of St. Helena Parish, which had a 1960 population of 9,092. No date has been set.

The open meeting followed a two-hour closed-door meeting of the parish school board, Meadows and teachers. No details were revealed.

In addition to Meadows, speakers at the open meeting included segregationist leader Leander H. Perez, administration House floor leader Rep. Risley Triche of Assumption Parish, Sen. Grady Stewart of Albany and Rep. Shelby Alford of St. Helena.

URGES REGISTRATION

Meadows told the rally:

"Try to get the people registered. That is the main reason we have not called an election up to now."

A new state law authorizes school boards to hold elections to decide if public schools threatened with integration should be closed and private cooperatives established.

The vote is not binding on the school board.

Perez, former district attorney of Plaquemines and St. Bernard parishes, explained two kinds of cooperatives, one with all parents taking part in decision making, the other with a designated group to run the schools.

He said he preferred the latter, noting that the other might lead to "considerable confusion."

Perez said there were some things in recently-enacted grant-in-aid and school closure programs that were "questionable." He did not elaborate but urged the parish to go ahead with a test case.

Triche promised the support of the Davis administration in maintaining "a segregated school system."

After noting that the parish had to decide whether "to proceed with a totally integrated school system" or "meet up with the task of providing a private school system," Triche said:

"If you go to private schools, we (the state) will do everything to help you with your problems."

Rep. Alford said everything would be done to keep the teachers presently teaching in parish public schools. He said the state had given assurances that private schools would be recognized and accredited.

SUIT PROMISES

Asked about the possibility of a suit against the parish school board, Triche said: "It is inconceivable that the court would deny you the right to operate a private school system."

A. P. Tureaud, chief Louisiana attorney for the National Association for the Advancement of Colored People, has said he will file suit in federal court at the proper time to void the school option election law.

School integration litigation in St. Helena Parish has been pending since 1952, when a group of Negro parents demanded an end to segregated schools.

Action taken at the same time in Orleans Parish led last November to the integration of two public schools under federal court order.

Also pending at present is an integration order for East Baton Rouge Parish. No integration date has been set there either.

Baton Rouge Now Looming As Race Issue Battleground

BATON ROUGE, LA. (AP) — The Louisiana Legislature, armed with the experience of its fight against school integration in New Orleans, will prepare a new battleground in Baton Rouge, strategists said Saturday.

One of the first moves to be considered is how to nail down full cooperation with the East Baton Rouge Parish School Board in the coming fight.

In three special sessions called by Gov. Jimmie H. Davis, the legislature was blocked in six attempts to seize control of the New Orleans School Board — which opposed the efforts.

Each time the federal courts backed the board which had complied with the Nov. 14 integration of first grades in two white schools. The board offered a pupil placement plan only after months of its own legal resistance to integration.

The legislature awaits a call to duty again in the fourth special session, originally summoned by Davis on a standby basis.

Both the governor and lawmakers are awaiting a three-judge federal court ruling in desegregation cases involving East Baton Rouge and sparsely settled St. Helena Parishes.

The National Association for the Advancement of Colored People several years ago filed the two legal attacks on school segregation — in the capital city and in the little rural parish seated on the Mississippi border northeast of here. These suits were delayed until the initial test in New Orleans.

More than a year ago, a top NAACP officer described Louisiana as one of the "toughest" in the school integration drive.

While the federal court decisions affecting the two parishes are not expecteed to cause any changes before the fall school term, legislators said, groundwork for the coming struggle must be prepared .

Both the East Baton Rouge and St. Helena School Boards months ago pledged a policy of open and segregated schools.

School Fight Likely In Louisiana Capital

Legislature To Use Lessons Learned In New Orleans

BATON ROUGE, Jan. 28. — (AP) — The Louisiana Legislature, armed with the experience of its fight against school integration in New Orleans, will prepare a new battleground in Baton Rouge, strategists said Saturday.

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'Trap' Charged By Louisianan

Kennedy 'Compromise Talk' Brings Protest By Segregationist

By The Associated Press

BATON ROUGE, La., Feb. 24. —A tough segregationist Friday cried furious protests in the Louisiana House against what he termed compromise talk by President Kennedy's regime to trap this state into a truce on the school integration issue.

The Legislature Thursday night, after blazing House debate over a resolution by Gov. Jimmie H. Davis' leaders denouncing Federal contempt citations, recessed until 7 p.m. Sunday.

Federal contempt citations against state officials, to be heard March 3, are based on the state's defiance of token integration of two New Orleans schools. Federal tribunals have blocked the Legislature's efforts to take over the entire New Orleans school system to maintain segregation. In the three-way struggle between local, state and Federal authorities, teachers have gone payles.

Moves Are Denounced

In one of the Federal court citations, three state officials were mentioned for failure to sign checks paying certain New Orleans school teachers.

Representative Wellborn Jack, arch segregationist from Caddo Parish, tore into the heart of swift behind-the-scenes maneuvers.

He insisted the Kennedy Administration has been "phoning down here trying to trap us into a two-year truce, or something."

"They're afraid Southern senators won't vote for their program," he suggested.

When Representative Risley Triche, Assumption Parish, was asked what Jack meant, the Davis floor leader said:

"There's been some talk around that our lieutenant governor and house speaker would be freed of Federal court contempt action if the Legislature would pay all New Orleans teachers in full."

But events roared toward a legislative climax, with the House passing 83-2 a Davis Administration resolution—sent to the Senate—denouncing the contempt moves against Lt. Gov. C. C. Aycock and House Speaker Tom Jewell as illegal and un-American.

There were thinly concealed hints that a jail threat had been voiced against Aycock and Jewell.

Jack roared his support of the resolution, which in effect declared the actions of Aycock, Jewell and Education Supt. Shelby M. Jackson, in drawing Federal contempt fire, were only acting as agents of the entire Legislature.

'Need A Good Rest'

"We're big enough people to go to jail if that's what they want," Jack asserted. "If they do have the audacity to put us all in jail, well, we need a good rest. They don't have the guts to do it."

"Let's just see if they'll put them in jail," he continued. "I say they won't, I say the attorney general, Mr. Kennedy, won't, I say the President won't."

So far, the Legislature has provided some advances for New Orleans teachers but not for teachers at the two integrated schools, William Frantz and McDonough No. 19.

Teachers at the inategrated schools are due two months salary; at other public schools, one month's pay.

2 on Baton Rouge School Board Receive 'KKK' Visits at Homes

Special to The New York Times

BATON ROUGE, La., Feb. 24—Hooded figures bearing notes signed "KKK" visited the homes of two school board members this week. A third received a threat on his life in a telephone call last Friday, the district attorney's office announced yesterday.

The incidents involving hooded figures were believed to be the first such in Louisiana's integration crisis. Parish Attorney Sargent Pitcher said he would prosecute anyone who 'harasses citizens under cover of masks or hoods."

The three board members involved were among five on the East Baton Rouge Parish (county) School Board who voted earlier this month to condemn the "packing" of the local board by Gov. Jimmie Davis, under a new law designed to preserve segregation. A Federal Court had ruled that token integration must be accomplished "with all deliberate speed" in the district.

The first visitation by hooded figures occurred Monday night, the authorities said, at the home of Ben Peabody. His nineteen-year-old daughter, Nancy, answered the doorbell and saw a tall figure in a black hood. She screamed and the figure disappeared. But a note was found outside that said: "No integration—KKK."

Later that night Mrs. L. P. Collier, wife of another board member, answered her door and was handed a similar note, this time by a figure in a white hood.

Last Friday, a voice on the telephone told John E. Coxe, a third member, that he "wouldn't be alive to attend the next board meeting." Mr. Coxe did attend the meeting, and he is still alive.

TEACHER PAY SET FOR NEW ORLEANS

Board Tells of Short-Term Plan Including the Two Desegregated Schools

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Feb. 24—A plan for paying city teachers was agreed on today. It might save two top state officials from going to jail in the school desegregation controversy.

Details of the arrangetment wer disclosed by Louis G. Riecke, president of the Orleans Parish (county) school board, following an informal luncheon meeting of the board.

The plan includes the staffs of the city's two desegregated schools, William Frantz and McDonogh No. 19. Four Negro girls were admitted by them last Nov. 14.

Contempt Case

Legal experts said the inclusion of the two schools would remove the basis for contempt actions against Lieut. Gov. C. C. Aycock and House Speaker J. Thomas Jewell. They have been ordered to show cause on March 3 why they should not be held in contempt of Federal court orders forbidding interference with desegregation.

The two officials and Shelby M. Jackson, state Superintendent of Education, refused to sign paychecks for Frantz and McDonogh teachers when the Legislature paid other New Orleans teachers directly.

The status of Mr. Jackson's case is not clear. Other matters figure in his contempt citation.

Mr. Riecke's announcement followed the rejection last night of another teacher pay proposal by leaders of Gov. Jimmie H. Davis' Administration.

Their action, at a special legislative session in Baton Rouge, came amid reports that Louisiana political leaders had given

President Kennedy's aides ... indication that the state might modify its policy of defiance to court rulings.

The session also brought an assertion by state Representative Wellborn Jack that the President was seeking a compromise in the school dispute here.

Show of Opposition

In a militantly segregationist speech in the House, Mr. Jack challenged the Federal Government to jail Mr. Aycock and the two other officials.

Despite this show of opposition by Mr. Jack, who is not considered a power within the Davis forces, there were some indications that the Governor might relent.

Observers said the teacher pay plan announced by Mr. Riecke could not be carried out without the Governor's tacit consent.

Mr. Riecke said it called f... transfer of some $2,000,000 fr... the city to the board, whi... would use it for teacher salari... overdue since Feb. 17. The ci... would obtain the funds, repr... senting advance remittances ... tax collections, from A. ... Tugwell, the state Treasurer.

The plan would provi... operating money for the par... schools only for February, ho... ever. And unless the Legis... ture acts to clear the boar... credit or provides additio... funds, it will face another cri... March 17.

"I'm confident that the mon... will be forthcoming before t... legislature adjourns," the boa... president said of the $2,000,0... advance. Legislators are sche... uled to return to the Capit... Sunday and adjourn the speci... session that night.

... Riecke said the boa... would need at least $11,000,000 in additional funds to operate the schools here for the remainder of the year.

Another source close to the board asserted that the matter "could be settled in ten minutes" if the state Bond and Tax Board would authorize education officials to obtain the usual loans on pledges against anticipated tax receipts.

But the Legislature has shown no willingness to rescind the action that tied up the board's credit with local banks.

Capital Disappointment

By ANTHONY LEWIS

WASHINGTON, Feb. 24.—Attorney General Robert F. Kennedy expressed regret today at the failure of the Louisiana Legislature to provide funds for the New Orleans schools.

"I am disappointed," Mr. Kennedy said. "I had been hopeful that the matter would be settled in a sensible and honorable way."

Behind this statement lay more than a week of intensive effort by the Attorney General to persuade the Louisiana Legislature to end its war against school desegregation. He has telephoned a number of Louisiana politicians and lawyers involved in the school fight.

A distorted version of Mr. Kennedy's efforts was offered to the Louisiana House last night by Representative Wellborn Jack. He said the Kennedy Administration had offered Louisiana a two-year "truce."

Truce Offer Denied

Justice Department officials flatly deny that any "truce" or compromise was offered. All that Mr. Kennedy and his aides did, they say, was to point out the facts to the Louisianans and urge them to end a useless struggle.

The Attorney General noted in his telephone conversations that some Louisiana officials were in danger of going to jail for contempt of court unless they changed their stand.

Mr. Kennedy noted that Lieutenant Governor Aycock and Speaker Jewell could purge themselves of contempt if the Legislature were to authorize an advance of funds to all the New Orleans schools, including the two desegregated. A resolution to this effect was offered early this week.

Mr. Kennedy and his associates hoped the resolution would pass last night. They thought its passage would symbolize a recognition by the Legislature of the inevitability of desegregation. But the resolution was rejected.

"The hope that the Legislature would recognize the existence of the Federal Government and the Constitution was disappointed," one official here said today.

1100 REGISTER IN ST. HELENA

BATON ROUGE (AP) — J. L. Meadows, superintendent of St. Helena parish schools, said Wednesday 1100 to 1200 voters have registered in his parish for the April 22 election whether to end public education.

Meadows was here to confer with Rep. Risley Triche, top House floor leader for Gov. Jimmie H. Davis, about the parish's plan to shift to private, segregated schools.

St. Helena faces a federal court order soon to desegregate public schools.

At an earlier public meeting at Greensburg, Meadows urged St. Helena parish voters to get registered if they want to take part in the election. The parish wiped the voter rolls clean Dec. 31 because it does not have permanent registration.

Meadows said otherwise plans for the public school abolition election were being carried out on schedule.

Under recent legislation, Louisiana will provide grants to pupils in private schools in parishes which vote to end public education and to sell public school properties as surplus.

St. Helena is the first parish school system to move toward a private school system under the plan.

Solicitors Seek School Support

Donations Asked To Help Segregated Facility Building Fund

By United Press International

NEW ORLEANS, April 7.—Solicitors roamed the downtown area Friday trying to raise $300,000 to build a private school for white children boycotting the city's two integrated schools.

A group consisting mostly of women conducted a brief march and then fanned out shaking donation containers and distributing stickers signifying a contribution had been given.

Goal Estimated

Armond Duvio, president of the Ninth Ward Private School Association, which is sponsoring the drive, said $300,000 would finance construction of the proposed private school.

He said it would be operated on a segregated basis with grants-in-aid to individual students.

More than 1,000 white students attended William Frantz and McDonogh 19 elementary schools before they were desegregated last November. Only 14 white children now attend Frantz, along with one Negro girl enrolled there.

'Perfect' Boycott

At McDonogh 19, where three Negro girls are enrolled, the white boycott has been perfect except for a few days in January, when two white boys broke it. The boys and their family have since moved out of the city.

Duvio predicted contributions for the new private school would come in from all over the South. Most of the students who formerly attended the two integrated schools have been attending a co-operative school in neighboring St. Bernard Parish.

OFFICIALS TOLD TO AID SCHOOLS

N.O. Board Calls on State Leaders to Act

The Orleans parish school board was in the process Monday of sending letters to state department of education officials telling them to carry out administrative functions pertaining to the school board or to advise the board here why the functions were not carried out.

Dr. James F. Redmond, school superintendent, said the letters were similar to the one sent March 7, to Shelby M. Jackson, state superintendent of education. The letter to Jackson has been ignored.

The school board's action follows a federal court warning issued Friday that all employes in the office of Jackson are under the same injunction as Jackson in carrying out the court's order to co-operate with the Orleans school board.

JACKSON IS ILL

The controversy started when two public schools were desegregated here Nov. 14 under federal court order.

The three-judge federal court has ordered Jackson to comply with federal court orders and to carry out administrative functions affecting the local board. However, Jackson is in serious condition, his physician said, and was not able to appear in court Friday to say if he has complied with the court ruling.

"We are asking that they perform each action requested, or at least advise the board of what action they are taking to comply," said the board's attorney, Samuel I. Rosenberg.

NOTICES SENT OUT

Meanwhile, formal announcements noting the position vacancy of superintendent of New Orleans public schools Monday were mailed to organizations, associations and schools throughout the country, an Orleans parish school board official said.

Theodore H. Shepard Jr., vice-president of the school board and chairman of the superintendent's selection committee, said, "It is the desire of the Orleans parish school board to locate the best qualified person available to fill this vacancy. I hope that a large number of applications will be received."

The announcement — a two-page typed outline of the duties, educational requirements and employment conditions regarding the position — was also included in a special "superintendent's bulletin" received Monday in each New Orleans public school.

Dr. Redmond will vacate the position about July 1 to assume a position with a nationwide management consulting firm in New York city.

STATE BOYCOTT OF BOARD EASES

Dealing Directly with Orleans Unit

By ROBERT WAGNER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La. — The state education department was reported Monday to be dealing directly with the Orleans parish school board in handling routine administrative matters.

Orleans school Supt. Dr. James F. Redmond said, "it appears to me the department of education heads want to keep out of trouble."

WHILE LONGER

State education officials have been under injunction not to "interfere" with operations of the school board, though in the past they have, nevertheless, tended to ignore the board.

Redmond said the only "annoyance" has been the continued policy of the administration to channel state funds into "Legislature school account No. 1," rather than directly to the school board.

EVERYTHING DUE

State Treasurer A. P. Tugwell announced he would transfer about $1.5 million Tuesday into the legislative account, from which the money would go into the schools' system.

This would represent "everything due the New Orleans school system" through the end of the fiscal year, June 30, except for the per educable and equalization funds for the period June 15 to 30.

"We are not paying any of the school boards for the last half of June until we can see farther," said Tugwell. He noted the treasury has not exactly been bursting at the seams.

St. Charles Rep. Bryan Lehmann is the only person authorized to sign checks against the legislative school account. The theory is that he makes the money directly available to the schools and employes.

A FACSIMILIE

Actually, the checks are prepared at the school board office in New Orleans. The board's administrative staff uses a facsimilie of Lehmann's signature to sign the checks.

The state education board recently told education department officials to comply with federal court orders, at least in some matters. Apparently, they have complied in most matters at issue.

"Textbook requisitions, for example are being honored, and books are being delivered," said Redmond.

State education Supt. Shelby M. Jackson, who has been the object of federal contempt proceedings, has been seriously ill with an asthmatic heart condition.

In Jackson's absence, the departmental employes have been guided largely by the policies of the state board of education.

U.S. Enters Mixing Suit In Louisiana

The Florida Times-Union
Jacksonville, Fla.

WASHINGTON, March 17 (UPI) The Justice Department moved today to become an active partner of the courts in enforcing desegregation orders in widely scattered towns in Louisiana.

Atty. Gen. Robert F. Kennedy announced that the department has asked and received court permission to participate in four Louisiana desegregation cases outside New Orleans.

At the same time, the department asked U.S. District Court a New Orleans for an injunction against enforcement of two anti integration statutes passed by the Louisiana Legislature earlier this year.

District Court Judge J. Skelly Wright signed orders designating the United States as "amicus curiae" — or, friend of the court — in the desegregation cases, Kennedy said.

"This move will enable the United States to act promptly to head off critical situations before they occur," the attorney general added.

The Justice Department already had moved into the New Orleans school situation in line with President Kennedy's promise to use his powers wherever possible to discourage racial discrimination.

Louisiana Move Made

WASHINGTON, March 17 (UPI) — The Justice Department became an active partner of the courts today in enforcing school desegregation orders in widely scattered towns in Louisiana.

District Court Judge J. Skelly Wright signed orders designating the United States as a friend of the court in the cases.

The action involves public schools under desegregation orders in East Baton Rouge and St. Helena Parishes (Counties) and State trade schools at Shreveport, Crowley, Nachitoches, Greensburg, Lake Charles and Opelousas.

Supreme Court Refuses Delay For Louisiana

The Atlanta Constitution
Atlanta, Ga.
Dues. 3-21-61 (14dd)

By KARL R. BAUMAN

WASHINGTON (AP)—The Supreme Court Monday rejected all efforts to balk or delay public school integration in Louisiana.

It refused to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

The court's present actions in Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall integration in public schools were legally worthless.

The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge federal court in New Orleans striking down a spate of anti - integration laws passed by the Louisiana Legislature.

In unanimously affirming this and another decision the Supreme Court Monday merely listed the cases by number and said the lower court was affirmed.

One ruling by the three-judge court was given last Nov. 30. It threw out a package of integration laws.

The other one, handed down last Aug. 29, ordered control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish School Board. It also directed the board to compy with an order last May 16 by U.S. Dist. Judge J. Skelly Wright to integrate the first grade last fall. That ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the federal and state governments was finally settled.

In still another action Monday involving race, the court agreed to review a decision by the Virginia Supreme Court that the National Association for the Advancement of Colored People unlawfully solicited legal business for its attorneys in Virginia.

The law was passed at an extra session of the Virginia General Assembly in 1956 at a time Virginia was committed to "massive resistance" to public school integration.

HIGH COURT UPHOLDS INTEGRATION MOVES

The Times-Picayune
New Orleans, La.
Dues. 3-21-61 (14dd)

Louisiana Legislation Is Struck Down

By EDGAR POE
(Times-Picayune Washington Bureau)

WASHINGTON — The United States supreme court, in an 11-word statement, Monday in effect struck down a sweeping series of acts passed by the Louisiana Legislature designed to prevent integration of the New Orleans public school system.

Thus, the nation's highest court held to its apparent policy to affirm all actions of the lower federal courts in school segregation cases.

Not since the historic decisions of 1954 ending the long-time accepted theory of equal but separate facilities in public schools of the nation, has the tribunal ruled on the merits of a school desegregation proceeding.

JUDGMENTS AFFIRMED

"The motions to affirm are granted and the judgments are affirmed," said the supreme court in a suit originally entitled Oliver Bush Jr. et al versus the Orleans parish school board et al. The suit was filed in the federal court at New Orleans Sept. 5, 1952.

The National Association for the Advancement of Colored People asked the nine-member court to affirm the decisions of the three-judge tribunal at New Orleans last year. The lower court tribunal consisted of chief Judge Richard T. Rives of the fifth circuit court of appeals; district Judge Herbert W. Christenberry and district judge J. Skelly Wright.

While the supreme court granted the motions to affirm the lower court, the tribunal in a separate action Monday agreed to review sit-in convictions on appeal from Baton Rouge. Several weeks ago the court, without giving any explanation, declined to reconsider the first sit-in cases appealed from Tallahassee, Fla.

The Louisiana sit-in convictions involved three cases and some 15 students of Southern university at Baton Rouge, one of the nation's largest all-Negro institutions of higher learning. In each sit-in demonstration, Baton Rouge police asked Negro students to leave lunch counters. After they declined, they were arrested and were convicted of disturbing the peace. Four-month sentences were imposed.

In the New Orleans school cases, there were three cases challenging validity of actions taken by the Louisiana Legislature.

Originally, district Judge Wright ruled that desegregation should end with the beginning of the school term on the first Monday of September, 1960, with the opening of school. Subsequently he granted a delay on appeal by school authorities until Nov. 14.

Oct. 28, 1960, Gov. Jimmie H. Davis of Louisiana issued a call convening the Louisiana Legislature into a 12-day special session commissioned Nov. 4. The Legislature passed a number of acts designed to prevent integration in the public schools.

INTERPOSITION LAW

Among measures passed by the Legislature was the so-called interposition statute by which Louisiana declared it would decline to recognize federal court decisions in the school cases. The district court held interposition illegal.

In another case held unconstitutional were measures of the Louisiana Legislature providing for segregated schools and empowering the governor of the state to operate the public school system on a segregated basis with authority to close any school that integrated.

The Orleans parish school board asked the supreme court to review the lower court ruling.

The NAACP asked the high court to affirm the lower court decision on the ground that they were proper decisions.

One measure passed by the Louisiana Legislature created a eight-member committee to consist of five members of the House of Representatives and three of the Senate.

The committee was appointed Nov. 9 and held its first meeting that date at Baton Rouge. It met again in New Orleans in the offices of the Orleans parish school board Nov. 10 and took various actions, which were later ratified by the entire Legislature.

The same date, Nov. 10, the nUited States government filed a complaint against the state of Louisiana and numerous state officials alleging unconstitutionality of such statutes, and a temporary restraining order was issued enjoining and restraining the defendants.

Subsequently the district court held these legislative acts invalid. It was from these rulings that an appeal was taken to the supreme court of the nUited States.

Neither the Constitution of the United States nor the Constitution of Louisiana imposes upon the state of Louisiana to provide public schools.

OTHER ACTIONS

In other actions Monday, the court:

1. Rejected an appeal by Mrs. Vi Murphy, a reporter for the Colorado Springs, Colo., Gazette-Telegraph, who received a 30-day contempt sentence for refusing to disclose a news source to the Colorado supreme court. Justice William O. Douglas said he favored reviewing the case.

2. Refused to reconsider its Jan. 23 decision upholding the right of censors to see motion pictures before their public showing.

The ruling was against Times Film Corp., which had refused to submit the film "Don Juan" to Chicago censors.

3. Ruled that state trial courts must determine whether a confession was made voluntarily without regard to truth or falsity of the confession.

The ruling reversed the conviction of Harold D. Rogers, 59, a Negro under death sentence in New Haven, Conn., for a robbery slaying.

U.S. To Aid Integration In Louisiana

Justice Department Entering Four Cases

By The United Press

Washington, March 17.—The Justice Department moved Friday to become an active partner of the courts in enforcing school desegregation orders in widely scattered towns in Louisiana.

Attorney General Kennedy announced that the Department has asked and received court permission to participate in four Louisiana desegregation cases outside New Orleans.

At the same time, the Department asked the Federal District Court at New Orleans for an injunction against enforcement of two anti-integration statutes passed by the Louisiana Legislature earlier this year.

District Court Judge J. Skelly Wright signed orders designating the United States as "amicus curiae"—friend of the court—in the desegregation cases, Kennedy said.

"This move will enable the United States to act promptly to head off critical situations before they occur," the Attorney General added.

The Justice Department already had moved into the New Orleans school situation in line with President Kennedy's promise to use his powers wherever possible to discourage racial discrimination.

Involves Public Schools

Friday's action involves public schools under desegregation orders in East Baton Rouge and St. Helena parishes (counties) and State trade schools at Shreveport, Crowley, Natchitoches, Greensburg, Lake Charles and Opelousas.

Robert Kennedy said in a statement in Washington that as a result of becoming "amicus curiae," the Government can "assist the court in preventing potentially dangerous and critical situations from coming to a head."

Provides Prison And Fines

Department officials said that school-desegregation troubles could have been prevented in the past if the Government had moved in a like manner.

The two anti-integration statutes the Justice Department seeks to strike down provide for fines and imprisonment for persons who encourage others to attend or work at racially integrated schools.

The Attorney General said the effect of these laws would be to harass and intimidate groups such as those active in New Orleans and Baton Rouge, seeking to promote peaceful enforcement of court desegregation orders.

Segregation Laws In Louisiana Upset By Supreme Court

By ANTHONY LEWIS

Special to The New York Times

WASHINGTON, March 20—Louisiana's various efforts to block the desegregation of schools in New Orleans were held unconstitutional by the Supreme Court today.

The court acted in a two-line order that said simply that lower-court decisions were affirmed. There was no dissent.

The action had been foreshadowed last Dec. 12. At that time, the Supreme Court refused Louisiana a stay of the lower-court rulings. And it took the unusual step of indicating its views on the full-scale appeal that had not then been filed.

The court said then that Louisiana's arguments were "without substance." It added that the unconstitutionality of the state statutes involved in the case was not a "matter of doubt."

The main effect of today's decision is likely to be the ending of some of the difficulties the New Orleans School Board has been having in borrowing money until tax receipts come in.

The New Orleans banks had taken the position that they could not risk extending credit to the School Board until the states's several attempts to put the board out of business had been brought to a legal dead end. That should have happened today.

The Solicitor General, Archibald Cox, had urged the court to act promptly. In a brief filed for the Government as a friend of the court, he said:

"Prompt affirmance (of the lower-court decisions) will advance the clear public interest in terminating difficulties engendered by the continuation of this litigation, which tend to interfere with the functioning of the public schools in New Orleans."

The Supreme Court action today affirmed three decisions of a three-judge Federal District Court in New Orleans.

The first, made last Aug. 27, enjoined Gov. Jimmie H. Davis from taking control of the New Orleans schools away from the School Board. The decision also struck down state laws making it a crime to supply public funds to integrated schools and empowering the Governor to close integrated schools.

The second decision, made Nov. 30, and the third, on Dec. 21, dealt with a series of statutes passed by the Louisiana Legislature in two special sessions. They, too, were enjoined as unconstitutional.

These laws, among other things, attempted to depose the New Orleans School Board and replace it with the Legislature itself or with a new state-appointed board. One statute provided for revocation of the certificate of any teacher who taught in a school operated in violation of state policy.

The New Orleans School Board was one of many parties bringing the appeal decided today.

The board conceded in its brief that the state statutes and orders involved were "patently unconstitutional." But the board asked for authority to hold off integration while the state and Federal Governments fought the matter out in the courts.

Two schools were ordered desegregated in New Orleans in the first year of the desegregation plan. But one has been totally boycotted and the other almost completely so by white parents since a few Negro children entered.

Mixed-School Delay Barred

By the Associated Press

Washington

The Supreme Court Monday rejected all efforts to balk or delay public school desegregation in Louisiana.

It agreed also to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

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The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge federal court in New Orleans striking down a spate of antidesegregation laws passed by the Louisiana Legislature.

In unanimously affirming this and another decision, the Supreme Court Monday merely listed the cases by number and said the lower court was affirmed.

One ruling by the three-judge court was given last Nov. 30. This one threw out a package of integration laws.

The other one, handed down last Aug. 29, ordered control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish (County) School Board. It also directed the school board to comply with an order last May 16 by United States District Judge J. Skelly Wright to integrate the first grade last fall. This ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the federal and state governments finally was settled.

Only two weeks ago, the Supreme Court refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla. The court gave no explanation, but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

In other actions Monday, the court:

1. Rejected an appeal by Mrs. Vi Murphy, a reporter for the Colorado Springs (Colo.) Gazette-Telegram, who received a 30-day contempt sentence for refusing to disclose a news source to the Colorado Supreme Court.

Associate Justice William O. Douglas said he favored reviewing the case.

2. Refused to reconsider its Jan. 23 decision upholding the right of censors to see motion pictures before their public showing.

The ruling was against Times Film Corporation, which had refused to submit the film "Don Juan" to Chicago censors.

3. Ruled that state trial courts must determine whether a confession was made voluntarily without regard to truth or falsity of the confession.

The ruling reversed the conviction of Harold D. Rogers, a Negro under capital sentence in New Haven, Conn., for a robbery slaying.

4. Agreed to rule on a contention that government officers should be barred from copyrighting as private property their public speeches on official matters.

The ruling was asked by Public Affairs Press, of Washington, which sought to publish speeches by Vice-Admiral Hyman G. Rickover, who had a major part in development of the atomic submarine.

New Orleans School Boycott Is Weakened

New Orleans, Jan. 3 (AP) — The white boycott of New Orleans integrated schools weakened only a little today after the 10-day holiday vacation.

Thirteen white children and one Negro girl attended classes at William Frantz School. Only eight white children attended prior to the Christmas vacation.

But, at McDonogh No. 19 school three Negro girls had the three-story school to themselves—just as it was before Christmas.

U. S. deputy marshals still escorted children into the two schools. There were no demonstrations in the 40-plus-degree chill.

Whites At Other Schools

With the holidays over, the school board here renewed its struggle to find money to pay teachers, who have missed one of the last two paychecks.

Most of the white pupils boycotting the two schools in Orleans Parish (county) have been attending white, segregated schools in adjoining St. Bernard Parish.

The Orleans Parish school board is scheduled to receive bids January 9 on a $12,750,000 loan. The board has asked the State Bond and Tax Board to authorize the loan. School board funds have been tied up in litigation involving the State and Federal governments and school board.

The legislature will resume its third special session tomorrow.

Very Little Tots Show Progress In New Orleans Schools

NEW ORLEANS, La. (AP) — The parents of the four Negro youngsters attending bias - torn schools here revealed this week that their children are making impressive academic progress.

One child, Ruby Neil Bridges, "completed her first reader by the end of the first two weeks of school and has been given a second book titled, New Basic Reader."

The parents of another child said her kindergarten performance last year, "did not indicate that she would be doing so splendidly in reading and drawing," this year.

These observations are included in an article, "The Second Battle of New Orleans," in the January issue of The Crisis Magazine, official organ of the National Association for the Advancement of Colored People.

READING BETTER

The article reports that all four girls are doing particularly well in reading.

Author Clarence A. Laws points out that the NAACP suit to integrate schools here had been fought for eight years, two months and ten days.

It was filed on September 4, 1952. The children entered formerly all - white William Frantz and McDonough 19 elementary schools on November 14, 1960.

"Fortunately," Mr. Laws writes, "the little girls seem completely oblivious to the storm which their presence has set in motion.

"This cannot be said of the parents who, in two cases, have been the objects of harassment, threats, and intimidation" the article says, adding that one father was fired from his job.

Orleans School Crisis Is Revived

NEW ORLEANS (AP) — The holiday lull in New Orleans' integration struggle was over today as public schools, including two which were integrated, prepared to reopen after a 10-day recess.

And apparently to be resumed were the white boycott of the integrated schools and the school board's efforts to catch up on the month-overdue payroll.

When classes were dismissed Dec. 23 only a handful of white students were attending the William Frantz Elementary School with one Negro girl, and no whites were attending McDonogh No. 19, where there were three Negro first-graders.

Mrs. Mary Sand, president of Save Our Schools, Inc., said Monday she did not expect attendance at the two schools to increase. She added there might be a slight increase at Frantz, "but I don't believe so."

Most of the white pupils who are boycotting the two integrated schools in Orleans Parish have been attending white, segregated schools in adjoining St. Bernard Parish.

The Orleans Parish school board is scheduled to receive bids Jan. 9 on a $12,750,000 loan. The board has asked the State Bond and Tax Board to authorize the loan. School board funds have been tied up in litigation involving the state and federal governments and the school board.

The legislature will resume its third special session on Wednesday. Gov. Jimmie H. Davis has appealed for approval of an increase in the state sales tax from two to three cents per dollar. The plea was made after the House failed by three votes to give the necessary two-thirds favorable vote for the eight-month, $28 million tax levy.

HANDS TIED

Davis has argued that failure to pass the revenue measure would be asking the legislature to combat integration with one hand tied behind its back. Proponents say the funds would be used to provide grants-in-aid for pupils who choose to attend private, segregated schools.

Opponents of the tax measure, including former state Sen. Willie Rainach of Summerfield, a strong segregation leader, argue that the fight on integration can be continued by economies in government and that there is the possibility that the revenue from an increased sales tax would be diverted to non-segregation purposes.

Court Declines To Halt Election

But Decision Reserved On Legality Of Closing St. Helena Schools

By United Press International

NEW ORLEANS, April 14. — A three-judge Federal court Friday declined to enjoin an election to determine if St. Helena Parish voters want closed rather than integrated public schools.

But in reserving decision on the constitutionality of the state law authorizing the April 22 election, the court held the power to nullify the effect of the election and all provisions of the law, including closure of the schools.

It set May 5 as the date for another hearing after filing of briefs.

Promise Received

The three judges received a promise from the St. Helena School Board that it would not close the schools, regardless of the outcome of the election, until after the court had ruled on the constitutionality question.

They also called the United States Justice Department into the case, asking the Government to file briefs on its position as to the constitutionality of the law, Act Two of the Fifth Special Session of the Louisiana Legislature.

The case before the court was a petition by Negro voters of St. Helena charging Act Two was unconstitutional and asking for an injunction against the April 22 election, State Atty. Gen. Jack Gremillion asked that the whole action be dismissed.

But NAACP chief counsel Thurgood Marshall, representing the Negro plaintiffs, said they were "not interested in preventing a referendum by the people of Louisiana."

"We think we would have had a right to prevent the School Board from calling the election," he said. "But that is all water over the dam."

Position Outlined

He said the plaintiffs wanted the court to tell the school board "to take no action whatsoever" that would prevent implementation of an existing Federal court order for St. Helena Public Schools to be integrated "with all deliberate speed."

Gremillion, acting for the School Board, claimed no action had been taken to avoid the order to integrate the parish public schools. He explained that under the law the board would not be bound by the results of the election.

He said the election was merely a means of determining the opinion of the voters. He called it "only a straw vote."

The court was composed of Federal Judges J. Skelly Wright, John Minor Wisdom and Herbert W. Christenberry.

Schools In Orleans Get Salary Funds

Legislature Avoids Direct Payment To Board

NEW ORLEANS, Feb. 27.— (UPI) — The almost bankrupt Orleans Parish school board gained a new lease on life Monday with the receipt of two million dollars from the state Administration via the New Orleans City Council.

The money was sufficient to pay the back salaries of all teachers and employes in the integrated school system, including those at William Frantz and McDonogh 19 grade schools, the two which are desegregated.

Gov. Jimmie H. Davis' Administration made what amounts to a compromise in giving the money to the City Council. The two million dollars was advance payment on homestead exemption refunds owed the city.

By taking the round-about approach, the Administration and segregationist-led state Legislature could "save face" by outwardly not recognizing the elected school board.

The Legislature has attempted unsuccessfully to oust the board, but each time the Federal court which ordered desegregation has clamped on restraining injunctions to protect the board. The Legislature has been at odds with the school board since the board obeyed orders to desegregate.

The state action may have been the result of President Kennedy's praise Saturday for the school board and all parents and children trying to obey the orders to integrate.

The action also followed by less than a week a statement by United States Atty. Gen. Robert Kennedy that he would push the Justice Department's contempt charges against three state officials accused of trying to financially strangle the board.

New Orleans' School Chief Gets Oregon Bid

The Atlanta Constitution
Atlanta, Ga.
Dec 3-3-61

NEW ORLEANS (AP)—Dr. James F. Redmond, embattled superintendent of New Orleans public schools, is being considered for the superintendent's position in Portland, Ore., it was learned Thursday.

Redmond, who has been under fire from the legislature for complying with federal integration orders, earlier this week announced he would resign here at the end of the term. His contract ends at that time, and Redmond, who has been superintendent eight years, said he would not accept an offer to renew it.

Louisiana School Laws Thrown Out By Court

The Call
Kansas City, Mo.
Feb 13-24-61

WASHINGTON. — (UPI) — The Supreme Court Monday affirmed a lower federal court ruling which threw out a package of Louisiana laws aimed at preventing the integration of New Orleans public schools.

The court's brief order rejected three appeals from the lower court decision of last Nov. 30.

The ruling was appealed by the Orleans parish school board, State Attorney General Jack P. F. Gremillion and the Louisiana legislature.

The legislature had also sought review of a later decision which forbade New Orleans banks to withhold school board funds. The accounts had been impounded by the legislature.

The Nov. 30 decision—by a special three-judge panel—struck down a package of state laws designed to block school desegregation. The laws, including an "interposition" statute, were enacted at a special session of the legislature last year.

The school board, which had been trying to carry out a school integration plan, asked the Supreme court to return the schools to their "traditionally segregated basis" while the state is fighting federal courts for sovereignty in the field of education.

The state had earlier urged the high court to stay the effect of the Nov. 30 decision until an appeal could be filed. But the nine justices on Dec. 12 denied this request. They said then that the state's various objections to the ruling were "without merit."

Kennedy Lauds Drive For School Integration

N.Y. Herald Tribune
New York, N.Y.
Feb 27-26-61

Message to Civil Rights Meeting Encourages Leaders in Stand

WASHINGTON, Feb. 25 (UPI). —President Kennedy strongly indorsed today efforts of educators, parents and other citizens who are trying to carry out court-ordered integration of New Orleans public schools in the face of violent opposition.

He praised them for "quiet intelligence and true courage" and firmly declared: "This is no time for schools to close for any reason, and certainly no time for schools to be closed in the name of racial discrimination."

Mr. Kennedy's telegraphed statement to the Federal Civil Rights Commission's third annual conference on schools in transition at Williamsburg, Va., was an obvious follow-up to his recent pledge to "use the moral authority" of the Presidency in school desegregation disputes.

Sue Over Funds

It also came on the heels of the Justice Department filing a civil contempt action to compel the state of Louisiana to release $350,000 in Federal funds withheld from the New Orleans School Board since September.

The civil contempt action was filed against Shelby M. Jackson, State Superintendent of Public Education, on orders by the President's brother, Attorney General Robert F. Kennedy.

The President said today of those in New Orleans who have tried to carry out the desegregation order: "The whole country is in their debt, for our public school system must be preserved and improved."

Pupils and Parents

"Let me also pay tribute to the school children and their parents, of both races, who have been on the front lines of this problem," he said. "In accepting the command of the Constitution with dignity, they, too, are contributing to the education of all Americans."

In his message to Dr. John Hannah, commission chairman, the Chief Executive said "our very survival as a free nation" depends on preserving and improving the public schools.

If the United States is to give world leadership, he said, "we must be true to the great principles of our Constitution —the very principles which distinguish us from our adversaries in the world."

Mr. Kennedy observed that two previous conferences on the problems of school resegregation "have been notable contributions to our national need for better understanding of this vital matter."

He praised the conference for bringing together "the men and women responsible for maintaining our public schools and for carrying through the process of desegregation."

Mr. Kennedy summarized: "Let me here pay tribute to these educators—principals, officers of school boards and public school teachers. The Constitutional requirement of desegregation has presented them with many new responsibilities and hard challenges.

"In New Orleans today, as in many other places represented in your three conferences, these loyal citizens and educators are meeting these responsibilities and challenges with quiet intelligence and true courage."

The New Orleans situation where two public elementary schools have been ordered to admit Negro first graders has been the most turbulent since former President Eisenhower sent Federal troops to Little Rock, Ark. Violence has flared before both schools. The state has carried out a number of legal maneuvers to prevent the New Orleans School Board from proceeding with the integration process.

At a Feb. 8 news conference, Mr. Kennedy was asked about the New Orleans troubles.

Hopes Words Will Help

He said: "At such time as I think it most useful and effective, I will attempt to use the moral authority or position of influence of the Presidency in New Orleans and in other places. I want to make sure that whatever I do or say does have some beneficial effect and, therefore, it is a matter which we are considering."

Mr. Kennedy also added at that time: "As far as New Orleans goes, it is my position that all students should be given the opportunity to attend public schools, regardless of their race, and that's in accordance with the Constitution. It is in accordance, in my opinion, with the judgment of the United States. So there is no question about that."

Court Partner, Orders Signed

Justice Department Gets OK Of Judge To Help On Desegregation

By United Press International

WASHINGTON, March 17. — The Justice Department moved Friday to become an active partner of the courts in enforcing school desegregation orders in widely scattered towns in Louisiana.

Atty. Gen. Robert F. Kennedy announced the department had asked and received court permission to participate in four Louisiana desegregation cases outside New Orleans.

At the same time, the department asked the Federal District Court at New Orleans for an injunction against enforcement of two anti-integration statutes passed by the Louisiana Legislature earlier this year.

Wright Signs Orders

District Judge J. Skelly Wright signed orders designating the United States as "friend of the court" in the desegregation cases, Kennedy said.

"This move will enable the United States to act promptly to head off critical situations before they occur," the attorney general added.

The Justice Department already had moved into the New Orleans school situation in line with President Kennedy's promise to use his powers wherever possible to discourage racial discrimination.

Friday's action involves public schools under desegregation orders in East Baton Rouge and St. Helena Parishes (counties) and state trade schools at Shreveport, Crowley, Natchitoches, Greensburg, Lake Charles and Opelousas.

Robert Kennedy said in a statement in Washington that as a result of becoming "friend of the court" the Government can "assist the court in preventing potentially dangerous and critical situations from coming to a head."

Past System Rapped

Department officials said that school desegregtaion troubles could have been prevented in the past if the Government had moved in a like manner.

The two anti-integration statutes the Justice Department seeks to strike down provide for fines and imprisonment for persons who encourage others to attend or work a racially integrated schools.

The attorney general said the effect of these laws would be to harass and intimidate groups such as those active in New Orleans and Baton Rouge seeking to promote peaceful enforcement of court desegregation orders.

Washington Joins Suits In Louisiana

WASHINGTON (AP)—The Justice Department Friday joined four federal court suits aimed at integrating various public schools scattered throughout Louisiana.

This was in addition to the federal court suit aimed at enforcing integration in New Orleans public schools. The department already is a party to that.

The department also asked the New Orleans federal court for a permanent injunction against enforcement of two recent anti-integration acts of the State Legislature.

These acts authorized state courts to impose fines and imprisonment on persons encouraging or assisting others to attend or work at schools operated on a racially desegregated basis.

The department said the effect of these laws would be to harass and intimidate groups such as some now active in New Orleans and Baton Rouge which are seeking to promote peaceful solutions to desegregation orders now outstanding in Louisiana.

Atty. Gen. Robert F. Kennedy asserted Friday's actions were taken to "enable the United States to act promptly to head off critical situations before they occur and to protect the integrity of the judicial process."

The New Orleans public schools were ordered desegregated last November. Negroes were admitted to two schools, but a white boycott against the schools has been almost 100 per cent effective.

SCHOOL CLOSING OPTION TARGET

Constitutionality of La. Law Challenged

Negro plaintiffs in the St. Helena parish school segregation case Thursday sought to file in federal court an action aimed at nullifying legislation allowing local school boards to call elections in which voters could authorize the closing of public schools.

A. P. Tureaud, attorney for the plaintiffs in the case, filed a motion asking that the plaintiffs be allowed to file a supplemental complaint attacking the constitutionality of Act 2 of the second extra session of the Louisiana Legislature.

No action was taken on the motion Thursday since the supplemental suit would require the calling of a special three-judge court and the matter must be presented to the chief judge of the US fifth circuit court of appeals.

CITE MEETING

On May 25, 1960, the St. Helena school board was ordered by Federal Judge J. Skelly Wright to end its segregated school system "with all deliberate speed."

That ruling was upheld by the US fifth circuit on Feb. 9.

In the supplemental complaint which the Negroes seek to have considered by a three-judge court they point out that on March 1 the St. Helena school board met in a meeting which was advertised as a "white" public meeting and the superintendent of schools, board members, and various political personages and attorneys urged the closing of public schools in the parish under Act 2 and their reorganization as private schools to prevent desegregation. On March 2, it is alleged, the board called the election for April 22.

'ATTEMPT TO THWART'

In their supplemental complaint the Negroes would ask the court to declare Act 2 unconstitutional and restrain its implementation by the St. Helena school board or any of its agents or employes.

The plaintiffs claim that the legislation is unconstitutional because its purpose is to deprive Negro children of the right to desegregated education and it is being used by the defendants "in an ingenious attempt to thwart and circumvent the orders of this court in this case requiring desegregation. . . ."

They charge that by calling the election the school board has actually begun a course of action designed to subvert and impede the implementation of the court's desegregation orders.

FURTHER DELAY

No start has been made by the St. Helena board towards desegregation in compliance with the court's orders, it is alleged, and any participation by the board in an election under Act 2 would thwart and frustrate the orders of the court.

It is charged that the board is employing the election procedure as a tactic to muster public sentiment against desegregation, which, in conjunction with the election procedure, will cause further delay in effecting desegregation.

The proposed supplemental action recites that provisions of Act 2 provide that in each parish in the state and each municipality operating school systems, the local school board shall have the authority to suspend or close the schools after an election in which the voters authorize it.

Under the act the local boards may lease or sell the school property and abolish school taxes after the schools are closed or suspended.

Court Kills Louisiana Race Bars

Tribunal Agrees On Fall Review Of Dixie Sit-Ins

WASHINGTON (AP) — The Supreme Court Monday rejected all efforts to balk or delay public school integration in Louisiana.

It agreed also to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

The court's present actions in Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall integration in public schools were legally worthless.

DECEMBER COMMENT

The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge federal court in New Orleans striking down a spate of anti-integration laws passed by the Louisiana Legislature.

In unanimously affirming this and another decision the Supreme Court Monday merely listed the cases by number and said the lower court was affirmed.

One ruling by the three-judge court was given last Nov. 30. It threw out a package of integration laws.

The other one, handed down last Aug. 29, ordered control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish School Board. It also directed the board to compy with an order last May 16 by U.S. Dist. Judge J. Skelly Wright to integrate the first grade last fall. That ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

REQUEST DENIED

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the federal and state governments was finally settled.

In still another action Monday involving race, the court agreed to review a decision by the Virginia Supreme Court that the National Association for the Advancement of Colored People unlawfully solicited legal business for its attorneys in Virginia.

The law was passed at an extra session of the Virginia General Assembly in 1956 at a time Virginia was committed to "massive resistance" to public school integration.

Only two weeks ago, the Supreme Court refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla. The court gave no explanation but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

ALARM PUBLIC

The Baton Rouge Negro students were convicted and given four-month sentences under a Louisiana law which prohibits the commission of "any act in such a manner as to unreasonably disturb or alarm the public." The students denied doing anything to disturb or alarm the public.

But Atty. Gen. Jack P. F. Gremillion of Louisiana, in opposing a Supreme Court review, said the students "deliberately proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations. To uphold their right to do so is to trample the rights of all other citizens."

In other actions Monday, the court:

1. Rejected an appeal by Mrs. Vi Murphy, a reporter for the Colorado Springs (Colo.) Gazette-Telegraph, who received a 30-day contempt sentence for refusing to

disclose a news source to the Colorado Supreme Court.

Justice William O. Douglas said he favored reviewing the case.

2. Refused to reconsider its Jan. 23 decision upholding the right of censors to see motion pictures before their public showing.

The ruling was against Times Film Corp., which had refused to submit the film "Don Juan" to Chicago censors.

3. Ruled that state trial courts must determine whether a confession was made voluntarily without regard to truth or falsity of the confession.

The ruling reversed the conviction of Harold D. Rogers, 50, a Negro under death sentence in New Haven, Conn., for a robbery slaying.

Integration Opponent In Louisiana Retreats

By The Associated Press

New Orleans, March 3.—Louisiana Education Superintendent Shelby M. Jackson, a leading architect of the State's fight against public-school integration in New Orleans, bowed Friday to Federal Court orders not to interfere with operation of the City's schools.

Jackson was facing contempt charges for refusing to deal with the elected Orleans Parish (county) School Board, which complied with Federal Court integration orders November 14. Pale and unsmiling, he told a three-judge Federal Court he was ready to comply with its orders.

Although Jackson and the State Legislature do not recognize the legality of the board, which they have been unsuccessfully trying to displace with a Legislature-appointed group, Jackson's attorney indicated the State official would deal with it as the body that is in fact operating New Orleans schools.

The court granted a three-week continuance of the contempt charges until March 24. United States District Judge J. Skelly Wright said, "What the situation needs is a little calmness."

The three judges dismissed other contempt charges for nonpayment of New Orleans teachers and school officials against Jackson, Lieutenant Governor C. C. Aycock and House Speaker Thomas Jewel. The salaries were paid last weekend.

'Compromise' talk blasted in Louisiana

BATON ROUGE, La., Feb. 24—(AP)—A tough segregationist cried furious protests in the Louisiana House against what he termed compromise talk by President Kennedy's regime to trap this state into a truce on the school integration issue.

The Legislature last night, after blazing House debate over a resolution by Gov. Jimmie H. Davis' leaders denouncing federal contempt citations, recessed until 7 p.m. Sunday.

FEDERAL CONTEMPT CITATIONS against state officials, to be heard March 3, are based on the state's defiance of token integration of two New Orleans schools. Federal tribunals have blocked the Legislature's efforts to take over the entire New Orleans school system to maintain segregation. In the three-way struggle between local, state and federal authorities, teachers have gone payless.

In one of the federal court citations, three state officials were mentioned for failure to sign checks paying certain New Orleans school teachers.

Rep. Wellborn Jack, arch segregationist from Caddo Parish, tore into the heart of swift behind-the-scenes maneuvers.

He insisted the Kennedy administration has been "phoning down here trying to trap us into a two-year truce, or something."

"They're afraid Southern Senators won't vote for their programs," he suggested.

U.S. Enters 4 La. School Cases

In a sharp reversal of policy, the Justice Department stepped into four school-desegregation cases in Louisiana yesterday.

In previous cases arising since the 1954 Supreme Court decision, the Department stayed out of the court struggles until trouble in enforcing orders of the court actually developed.

It moved into the Louisiana cases, Attorney General Robert F. Kennedy said, so that it "can assist the court in preventing potentially dangerous and critical situations from coming to a head."

State Aides Warned

In effect, Kennedy's decision to intervene in the cases is a warning to State officials in Louisiana that the Justice Department intends to back up the Federal Court in other areas as it has in New Orleans.

Kennedy Pointed out that in authorizing the Department to intervene, Judge J. Skelly Wright gave it a more active role than is normally allowed to groups which enter cases as "friends of the court."

This is necessary, Kennedy said, to "enable the United States to act promptly to head off critical situations before they occur and to protect the integrity of the judicial process."

No Dates Set Yet

To underline these words, the Department asked Judge Wright at the same time to hold unconstitutional two recent acts of the Louisiana Legislature. These would make it a criminal offense for persons to encourage or assist others to attend or work at desegregated schols.

The four cases in which the Department intervened are aimed at ending segregation in East Baton Rouge and St. Helena Parishes and in six trade schools run by the Louisiana Department of Education.

No dates have been set for desegregation, and Kennedy stressed the fact that the setting of dates is up to the court and not the Department of Justice.

The Department has been an active participant in the New Orleans school case since late November. Although urged by many persons in New Orleans and Washington to enter that case earlier, the Department stayed out until atfer the court's desegregation order had been defied.

Its role since has been primarily to file motions seeking to strike down as unconstitutional dozens of acts of the Louisiana Legislature and to protect the Orleans Parish School Board from attacks by the Legislature.

KENNEDY HAILS NEW ORLEANS INTEGRATION

[Chicago Tribune Press Service]

Washington, Feb. 25—President Kennedy today hailed what he termed "quiet intelligence and true courage" exhibited by citizens and educators in the carrying out of desegregation in New Orleans schools in conformity to court orders.

The White House action came after Republicans had moved in Congress to introduce civil rights legislation, charging the new administration with failure to move in this field. Sen. Dirksen [R., Ill.], Senate G. O. P. leader, announced he is sponsoring a program which will be presented in Congress.

Wires Rights Commission

President Kennedy addressed a telegram t Dr. John Hannah, chairman of the Commission on Civil Rights, asking him to exten best wishes for a constructive session to delegates attending the third annual conference on schools in transition at Williamsburg, Va. The President said "our very survival as a free nation" depends on the improvement and preservation of the school system.

"Let me here pay tribute these educators—principals, officers of school boards, and public school teachers," the President said. "The Constitutional requirement of desegregation has presented them with many new responsibilities and hard challenges. In New Orleans today, as in many other places represented in your three conferences, these loyal citizens and educators are meeting these responsibilities and challenges with quiet intelligence and true courage.

Must Preserve Schools

"The whole country is in their debt, for our public school system must be preserved and improved. Our very survival as a free nation depends upon it. This is no time for schools to close for any reason, and certainly no time for schools to be closed in the name of racial discrimination. If we are to give the leadership the world requires of us, we must be true to the great prinsiples of our Constitution—the very principles which distinguish us from our adversaries in the world.

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High court to hear sit-in case—

Louisiana appeal for delay in desegregation rejected

WASHINGTON, March 21 —(AP)— The Supreme Court yesterday rejected all efforts to balk or delay public school desegregation in Louisiana.

It agreed also to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next Fall.

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ONLY TWO WEEKS ago, the Supreme Court refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla.

The court gave no explanation but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

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Atty. Gen. Jack P. F. Gremillion of Louisiana, in opposing a Supreme Court review, said the students "deliberately . . . proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations."

In other actions today, the court:

1. Rejected an appeal by Mrs. Vi Murphy, a reporter for The Colorado Springs (Colo.) Gazette-Telegram, who received a 30-day contempt sentence for refusing to disclose a news source to the Colorado Supreme Court.

Justice William O. Douglas said he favored reviewing the case.

2. REFUSED TO RECONSIDER its Jan. 23 decision upholding the right of censors to see motion pictures before their public showing.

The ruling was against Times Film Corp., which had refused to submit the film "Don Juan" to Chicago censors.

3. Ruled that state trial courts must determine whether a confession was made voluntarily without regard to truth or falsity of the confession.

The ruling reversed the conviction of Harold D. Rogers, 59, a Negro under death sentence in New Haven, Conn., for a robbery slaying.

Judge Wright's Ruling Flayed

Justice Department Move Also Criticized

BATON ROUGE, La. (AP)— Atty. Gen. Jack Gremillion said Saturday the department of justice's latest move in Louisiana was made in anticipation of an early order to desegregate schools in two more parishes and six state trade schools.

And Gremillion criticized US Judge J. Skelly Wright's ruling to allow the US justice department to enter the school desegregation cases as unauthorized procedure.

"The actions of the justice department in this instance," the Louisiana attorney general said, "places it in this litigation like a tiger pouncing on an alley cat."

'A BIG STICK'

"It gives them a big stick that could be utilized even if the defendants though about disobeying a court order thaat has not yet come into existence," he said.

Wright signed an order to allow the justice department to enter the cases as "friends of the court."

Atty. Gen. Robert Kennedy, in Washington, said the move was "to enable the United States to act promptly to head off critical situations before they occur and to protect the integrity of the judicial process."

"By becoming effectively, a participant in the cases," Kennedy said," the government can assist the coutr in preventing potentially dangerous and critical situations from coming to a head."

He said that earlier the government had not entered segregation cases until after integration troubles developed.

The government also asked Judge Wright to declare unconstitutional two new state laws aimed at punishing persons who help parents send their children to integrated public schools.

In a third action, US Atty. Hepburn many at New Orleans requested a preliminary injunction against a special legislative committee assigned to investigate the Orleans parish school board.

WITHOUT HEARING

The US attorney already had a restraining order against the committee, obtained when the committee seized records on the Orleans school system held by Shelby M. Jackson, state education superintendent ordered to purge himself of federal court contempt by next Friday.

The committee is headed by Rep. Risley Triche, a House floor leader for Gov. Jimmie H. Davis.

Gremillion charged Wright allowed the government to enter the cases involving East Baton Rouge and St. Helena parishes and the tax-supported trade schools without giving the defendants a hearing.

The Louisiana attorney general contended the action, in effect, substituted the federal government as plaintiffs in the case.

"The government will undoubtedly take over these cases," Gremillion said, "just as they have done, with court approval, in the Bush case in Orleans parish," which brought about school integration there.

GROUNDWORK LAID

"The NAACP (National Association for the Advancement of Colored People)," he said, "no longer needs attorneys in these cases now that the government is authorized to continue their presecution."

Gremillion predicted the groundwork was laid for an order to integrate the schools involved next September.

A. P. Tureaud, New Orleans attorney for the NACP, earlier asked permission to amend the original East Baton Rouge and St. Helena integration suits to seek a ruling that a recently adopted local option school closure law be declared unconstitutional.

Rural St. Helena parish already has set an April 22 vote on whether to end public education rather than desegrate. Leaders plan to set up a private, segregated school system under state grants in aid to pupils.

East Baton Rouge school board members are studying a pupil placement plan. Several school communities here in recent weeks have held mass meetings, adopting resolutions for a private school system if schools here are integrated.

U. S. Intervenes In 4 La. School Cases

'No deal' statement proven by action

WASHINGTON

The Department of Justice last week intervened in four school desegregation suits in Louisiana. These suits ask desegregation in East Baton Rouge and St. Helena parishes and in six trade schools run by the state department of education.

The intervention bears out Attorney General Robert Kennedy's statement last week that there was "no deal" between his office and the State of Louisiana.

It had been reported that Mr. Kennedy had agreed to keep "hands off" these four cases in exchange for the state's promise to stop exerting pressure in the New Orleans situation.

The Attorney General decided that it was necessary to enter the four pending cases in order to "enable the United States to act promptly to head off critical situations before they occur and to protect the integrity of the judicial process."

This is the first time that the Justice Department has intervened so early in a school desegregation case. Formerly, it would only file briefs as "friend of the court" or else would step in a case after the opposition had a chance to build up.

In New Orleans, for instance, the department did not intervene until the state had erected formidable barriers against desegregation. These barriers, in the form of numerous new state laws, were declared unconstitutional.

In intervening last week, the Justice Department also asked Judge J. Skelly Wright to declare two more recently - passed laws unconstitutional.

They were laws making it a criminal offense for anyone to encourage or assist someone else to either attend or work at a school which had been desegregated.

• • •

AN ATLANTA teacher, Miss Mary Frances Early, has applied for admission to summer school study at the University of Georgia. If she is accepted, she will be the third colored student to attend and the first to be admitted without court litigation.

Miss Early said her application has been acknowledged but she has received no further word. She wants to study toward a master's degree in music education.

G. B. Huff, graduate school dean, said Miss Early's application is being "routinely" processed. He explained that the application is first sent to the department the student wishes to enroll in. After a check in this department, it goes to the registrar's office.

A music teacher at John Hope School, Miss Early is a graduate of Turner High School— where the University of Georgia's first two colored students were graduated. They are Miss Charlayne Hunter and Hamilton Holmes.

• • •

IN LITTLE ROCK last week, the Dollarway School Board filed with the federal court a detailed plan for school desegregation. The board had filed a previous plan, which was okayed by District Judge J. Smith Henley, but later rejected by a higher federal court.

The U.S. Circuit Court of Appeals returned the plan to Judge Henley's court. Judge Henley then ordered the board to make its plan more specific.

The plan filed last week is substantially the same one submitted earlier. It provides for the transfer of first - graders if such transfers do not conflict with state laws.

• • •

A FRATERNITY at Lake Forest College near Chicago announced last week that it would restore a Jewish student, Donald C. Schiller, as a pledgee. He was ousted in January on orders from the national fraternity.

The Lake Forest chapter said it would go into court to save its charter, if necessary.

PARISH SCHOOL VOTE IS CALLED

St. Helena First to Face Closing Issue

GREENSBURG, La. (AP) — The St. Helena parish school board Thursday night voted to hold an election April 22 on whether to close public schools rather than desegregate.

The rural parish of 9092 population, located near the Louisiana - Mississippi border, faces a federal court order in the near future to carry out school integration, first sought in a federal suit nine years ago. No integration date has been set.

The parish became the first Louisiana school district to call a local election leading to a shift from public to private, segregated schools.

J. L. Meadows, superintendent of schools, said he did not know how the ballot will be worded, but details probably will be worked out by Duncan Kemp, district attorney.

CHOICE LIMITED

Under recent legislation, the choice can only be whether to close schools. The vote merely gives the school board authority to end public education if it sees fit.

If voters approve school closure, the board will be authorized to close schools and sell facilities as surplus property.

In Baton Rouge, a legal authority said the new statute on school closure prescribes that only two propositions shall be voted.

C. C. Wood, legal counsel to the secretary of state, said the choice is whether the school board shall be given authority to suspend or close public schools or not.

A. P. Tureaud, chief Louisiana attorney for the National Association for the Advancement of Colored People, said earlier he will file suit in federal court at the proper time to challenge the school operation election law.

SPEED URGED

At a Tuesday night rally at Greensburg High school, leaders of the Gov. Jimmie H. Davis administration and segregation forces asked St. Helena citizens to push through an election because a court test was needed immediately on Louisiana's pupils grants in aid and private school legislation.

If the proposed shift from public to private schools stands the legal test, administration leaders plan a limited constitutional convention this summer to remove dedication of the state's sales tax revenues to public education and provide for financing grants to private school pupils.

Mixing Delays Refused

WASHINGTON (AP) — The Supreme Court Monday rejected all efforts to balk or delay public school integration in Louisiana.

It agreed also to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

The court's present actions in Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall integration in public schools were legally worthless.

The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge federal court in New Orleans striking down a spate of anti - integration laws passed by the Louisiana Legislature.

CASES LISTED

In unanimously affirming this and another decision the Supreme Court Monday merely listed the cases by number and said the lower court was affirmed.

One ruling by the three-judge court was given last Nov. 30. It threw out a package of integration laws.

The other one, handed down last Aug. 29, orderel control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish School Board. It also directed the board to comply with an order last May 16 by U.S. Dist. Judge J. Skelly Wright to integrate the first grade last fall. That ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the federal and state governments was finally settled.

In still another action Monday involving race, the court agreed to review a decision by the Virginia Supreme Court that the National Association for the Advancement of Colored People unlawfully solicited legal business for its attorneys in Virginia.

EXTRA SESSION

The law was passed at an extra session of the Virginia General Assembly in 1956 at a time Virginia was committed to "massive resistance" to public school integration.

Only two weeks ago, the Supreme Court refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla. The court gave no explanation but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

The Baton Rouge Negro students were convicted and given four-month sentences under a Louisiana law which prohibits the commission of "any act in such a manner as to unreasonably disturb or alarm the public." The students denied doing anything to disturb or alarm the public.

But Atty. Gen. Jack P. F. Gremillion of Louisiana, in opposing a Supreme Court review, said the students "deliberately proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations. To uphold their right to do so is to trample the rights of all other citizens."

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LOUISIANA

2 Cleared in Louisiana School Case

By John Corporon
Special to The Washington Post

NEW ORLEANS, March 3 — A three-judge Federal Court today dropped contempt of court charges against two Louisiana officials and gave State Superintendent of Education Shelby Jackson three more weeks to stop defying court orders dealing with school desegregation in New Orleans.

In line with an announcement made by U. S. Attorney General Robert F. Kennedy, charges were dropped against Lt. Gov. C. C. Aycock and Speaker of the Louisiana House of Representatives Tom Jewell. In the court's view Jewell and Aycock purged themselves of contempt charges because they helped end the State's financial blockade against the Orleans Parish School Board. All teachers and other employes of the board this week received back pay out of funds made available by the State.

However, civil contempt charges against Jackson are more far-reaching and involve Jackson's alleged attempts to hamper operations of the New Orleans schools since two first grades were desegregated Nov. 14, 1960.

Dramatic Tug of War

A dramatic tug of war took place before the three judges after Jackson and his two attorneys stood before the bench.

Jackson was asked if he would now comply with injunctions of the court and would not interfere with operations of the School Board, which the Legislature has tried to fire. Jackson also was asked if he would recognize that the Board, pending outcome of litigation, as the agency running New Orleans schools.

"I cannot legally recognize the dismissed Board because of acts of the Legislature," Jackson replied. "I'm not interfering with the Board and I will not interfere with schools."

The judges, especially U. S. District Judge Skelly Wright, pressed Jackson for a more specific answer.

"I said that I cannot recognize the Board because of the Legislature," Jackson said. "But I will not interfere."

"Will you comply with the injunctions of the court," Judge Wright asked.

"Yes," said Jackson, "I guess I'll have to."

Later while standing before the bench Jackson's lawyers disputed what Jackson had promised to do and, in fact, what he could do legally.

Gets Conflicting Advice

One of Jackson's attorneys, Harry Booth, Louisiana Democratic national committeeman, said he had advised Jackson he must comply with the Federal court orders and not with orders of the legislature.

But his second attorney, State Rep. Ford Stinson, a member of the State Segregation Committee, said Jackson had to obey the Legislature or be in violation of State law and possibly be in contempt of the State Legislature.

Booth had a hot exchange with Stinson not audible to the court and then told the judges that Stinson had entered the case late. Booth said Jackson understood that he must comply with court orders and not interfere with the Board's operations—two points never conceded by Stinson.

Judge Richard Rives of the U. S. Fifth Circuit Court of Appeals said Jackson's true intensions would be known when the hearing was resumed March 24. Judge Rives noted that Jackson's lawyers "are talking at cross purposes" but did not ask Jackson for clarification.

Judge Wright earlier typified the attitude of the court with the comment:

"Mr. Jackson has been through emotional turmoil in view of his stated past (uncompromising) positions. Would we not be justified to wait and see if he will comply. We need calmness."

EDUCATOR TO QUIT AT NEW ORLEANS

School Superintendent Will Resign July—Legislature Tried to Dismiss Him

NEW ORLEANS, Feb. 28 (UPI)—Dr. James F. Redmond, superintendent of New Orleans schools, announced last night that he was leaving the $23,500-a-year post on July 1.

He has held the job since 1953 and led the school system as it began racial integration. He did not reveal where he was going, but he has been mentioned as a prospect for $30,000-a-year posts in Houston and Chicago.

Louis G. Riecke Sr., president of the school board, said harassment of Dr. Redmond by the Legislature had probably been one of the reasons for his decision. But Mr. Riecke noted that legislative pressure had not forced the resignation.

He said Dr. Redmond had been offered opportunities elsewhere "he cannot ignore." The superintendent asked the board for an increase to $30,000 a year, but Mr. Riecke said the school system "just can't afford it."

Dr. Redmond led the school board through thirty-seven court cases before yielding to Federal integration orders that resulted in the desegregation of two New Orleans elementary schools last November.

Since then, the state Legislature has tried twice to discharge him, contending that he did not do enough to preserve segregation. Federal restraining orders and injuunctions kept him in the job.

In announcing his resignation, Dr. Redmond said:

"We have lived through an important social change. I believe we are well on the way to solving the immediate problems which this has brought about."

Bob Kennedy Denies Deal On Mixing

WASHINGTON (AP) — Atty. Gen. Robert F. Kennedy Thursday denied he has offered a compromise on racial integration in certain Louisiana public schools, geared to partial desegregation in New Orleans.

Kennedy released an exchange of telegrams with television station WBRZ-TV at Baton Rouge, La., the state capital, which asked him for comment on "continuing rumors pertaining to a possible compromise between the Justice Department and Louisiana officials."

Bud Hebert, a news director for the station, said:

"The specific charges infer that integration of schools in East Baton Rouge and St. Helena parishes may be delayed at least one year and possibly two as long as Louisiana officials agree to keep hands off the Orleans Parish schools."

The attorney general said in his reply:

NO MENTION

"There has been absolutely no mention of a compromise by myself and representatives of the Justice Department in talks with Louisiana officials.

"It would be impossible in any case because this is a matter to be determined by the courts, not by the Justice Department or me as attorney general.

"The timing of integration of schools in Baton Rouge will not be determined by the Justice Department, but by the courts after hearing testimony on this matter from the people of Louisiana.

"The Justice Department plays no role except to insure that the integrity and orders of the courts are upheld. This, and this only, is the role we have played in the New Orleans matter."

REDMOND GETS OREGON OFFER

Confirms Portland Job Being Considered

Dr. James F. Redmond confirmed Thursday that a job in Portland, Ire., is one of several he has under consideration.

The Orleans parish school superintendent announced Monday that he would not accept reappointment as superintendent of schools here when the board said it could not meet a $30,000-a-year figure Dr. Redmond asked.

His salary here is $25,500 annually, but he not been paid in recent months because of the school dispute between state and school board officials.

Dr. Redmond was reported by Mrs. Forrest L. Rieke, Portland school board member, to be one of eight persons under consideration for the Portland job of school superintendent.

Mrs. Rieke said she was impressed by Dr. Redmond's interview for the position. She said Portland's superintendent of the city's 71,000-pupil public school system, J. W. Edwards, is due to retire June 30.

Dr. Redmond said that a couple of more offers for jobs popped up Thursday. He would not elaborate, but he said he will announce his decision in a few weeks.

U.S. ACTS TO ENJOIN 10 IN LOUISIANA CASE

By William A. James

WASHINGTON, March 11 (AP)—The Justice Department announced tonight that it had filed a motion for an injunction and temporary order to restrain ten Louisiana legislators from taking any action to interfere with the Orleans Parish (County) school board.

The motion was filed in New Orleans, the department said. Attorney General Robert F. Kennedy said the action had been filed because of a proposed move by a special committee of the Louisiana Legislature to seize administrative records of Shelby Jackson, Louisiana's Superintendent of Public Education.

A three-judge panel of the United States District Court has given Mr. Jackson until March 24 to release funds to the Orleans Parish school board and take other action or risk being found in contempt of court. The case arises from school desegregation in New Orleans.

Redmond, School Board and Legislature

Dr. James F. Redmond's eight years of affiliation with the New Orleans school system undoubtedly has been mutually rewarding. The schools have advanced strongly under his administration — in adequacy of plant, in organization and in the quality of instruction. On the other hand, the New Orleans school system, troubled by the lapse of building during World War II, an anticipated 60 per cent pupil increase over 10 years, a shortage of money and a need for administrative reorganization, was an opportunity for the Redmond talents.

With the co-operation of the school board, Dr. Redmond has been able to achieve results which evidently have attracted the attention of other organizations looking for talent.

Assessing the transformation here, a great many citizens will feel a real sense of loss in the Redmond departure. And they will be glad that the catching up and the reorganization was largely completed before the resignation. The superintendent, the school boards of the last eight years, and the city share the pride in the notable educational advance.

It took the school board two years and a country-wide search to find a superintendent when Dr. Redmond was employed. Now that he is leaving, the board faces a repetition of the task.

* * *

In serving the school board, it was inevitable that Dr. Redmond should become involved in some way in the tussle between the board and the Legislature. While that apparently has no bearing on his departure, the fact that he is leaving is one of the developments that should help to induce new efforts at some understanding between the school board, the Legislature and the state administration.

Regardless of the principles and differences involved, the schools and the public interest will suffer from the continuance of the quarrel. We believe there has been enough clarification of what is possible and not possible to warrant some kind of rapprochement.

The Legislature now knows that where the necessary public schools are maintained there will be slow desegregation. Local school boards, including ours, know that the people want an alternative to forced integration—that is they want the right and opportunity to send their children to private or co-operative schools under the grants-in-aid program. With this factual situation accepted all around, there should be no further reason for serious disagreement between the school board and the Legislature. It would be poor reasoning for the Legislature to suppose that the school board can avoid compliance with federal court orders, and poor logic for the school board to suppose that an adequate school system can be maintained here without the co-operation of the state government.

* * *

We particularly call the attention of the Orleans legislative delegation to the grave possibilities that result from the nonco-operation, and to the importance of exerting its leadership in focusing attention of both sides on the common goal that must be attained in harmony.

Another school season will be coming around in six months, and bring with it new porblems for Orleans and some other parishes. New Orleans will be looking for another superintendent. Difficulties in both connections probably will be reduced if there is at least a working agreement between state and local authority, and they certainly will be aggravated if there is not.

CONTEMPT CASE SET FOR TODAY

NEW ORLEANS (AP) — Three federal judges planned to hear contempt charges against Louisiana Education Supt. Shelby M. Jackson here today after the Justice Department dropped similar actions against two other state officials.

Atty. Gen. Robert F. Kennedy announced in Washington Thursday that contempt action against Lt. Gov. C. C. Aycock and House Speaker Thomas Jewell would be dropped because of the part the two played in providing pay for New Orleans teachers.

REQUEST PAY

Jackson, Aycock and Jewell were cited for refusing to pay teachers at two integrated public schools in New Orleans several months ago.

But Jackson also was cited for a number of other acts, including refusal to turn over $350,000 in federal school lunch funds to the Orleans Parish School Board and to recognize teachers hired by the board since the two schools were integrated Nov. 14.

While announcing the end of contempt action against Aycock and Jewell, Kennedy said "Mr. Jackson's case is quite different. He has not yet made any attempt to comply with the court's order."

Some background came to light when Burke Marshall, nominated to head the Justice Department's Civil Rights Division, answered questions from the Senate Judiciary Committee.

Marshall, a 38-year-old Washington attorney, denied reports by some Louisiana legislators that the attorney general had offered the state a two-year "civil rights truce."

He said there was "absolutely no mention of any such thing" at a recent meeting in Washington between Atty. Gen. Kennedy, and Louisiana Atty. Gen. Jack Gremillion.

The conference resulted, Marshall said, from the attorney general's efforts to "persuade" Louisiana authorities to act in compliance with the order of the court."

Asked by Sen. Roman L. Hruska, R-Neb., whether the dropping of the contempt action would follow payments to New Orleans schools, Marshall replied: "If the payments are made, the contempts would be purged."

LONG INTERVENES

Meanwhile, Sen. Russell G. Long, D-La., asked Atty. Gen. Kennedy to halt contempt charges against Jackson, declaring that an overwhelming majority of Louisianans favor dropping the case.

Long continued: "I believe that any further effort to punish Mr. Jackson for his advocacy and support of segregation in compliance with the laws of Louisiana would tend to make him something of a martyr to a cause which is approved by most of the people."

The contempt charges are related to a number of federal court orders and injunctions handed down in support of the integration ruling. They are designed to prevent state officials from interference with the operation of New Orleans schools.

The state legislature has fought integration through five consecutive special sessions.

At the two integrated schools, only a handful of white students are attending William Frantz with one Negro. No whites attend McDonogh No. 19 where three Negroes are in the first grade.

14d(1) 1961 LOUISIANA

Who Is 'Caesar'?

May Test Teachers' Loyalty In N. O. School-Mixing Fight!

NEW ORLEANS—"Is it lawful to pay tribute to Caesar?," the Scriptures quote the Pharisees as asking Jesus Christ in seeking to entrap him.

Local segregationists last week proposed that the State Legislature order the 4,000 Orleans Parish public school teachers to sign petitions declaring whether they are loyal to the Legislature or to the Orleans Parish School Board.

This proposal was made early last week after a small group of white teachers led by Austin W. Wilson Jr., said it recognized the State Legislature as the authority on school matters rather than the school board.

During these times, the State Legislature and the Orleans Parish School Board—both advocating segregation—are on opposite sides of a legal fight for control in New Orleans.

■

THE LEGISLATURE, improvising and passing segregation measures at a fast and furious pace, has attempted to replace the Orleans Parish School Board with agencies of its own creation several times in the past two months.

The school board, on the other hand, has been restored control of local school affairs when the Federal Court choked off the new laws and agencies as fast as they were created by the Legislature.

The Federal Courts have held repeatedly since 1954 that racial segregation in education is unconstitutional.

The State Legislature contends that its statutes providing for segregation are legal. Moreover, it has a committee to investigate persons suspected of being "disloyal" to the laws of the United States and the laws of Louisiana.

■

AND SO, battle lines have been drawn. Recent happenings make it obvious that the Orleans Parish School Board — the original defendant in the school desegregation case and former ally of the Legislature—is now backed up by the Federal Court.

Thus, when public school teachers—especially Negroes—will be called upon to choose sides in the current school desegregation battle, any decision they make could be damaging.

Should a teacher declare his loyalty to the Orleans Parish School Board, he, ipso, facto, declares loyalty to the Federal Court's rulings which say school segregation is unlawful. This, of course, would be considered "disloyal" to the State Legislature and Louisiana segregation laws.

Should he declare himself loyal to the State Legislature, he rebukes his employer—the Orleans Parish School Board—as well as the Federal Court, its rulings, and thereby endorses and stands shoulder-to-shoulder with the segregation leaders who have been cited for contempt.

A NEGRO teacher's dilemma is even more acute.

Verily, the situation brings to mind, the writings of St. Luke, Chapter 20, Verses 21-26:

"And they asked him saying, Master we know that thou sayest and teachest rightly, neither acceptest thou the person of any, but teachest the way of God truly: Is it lawful for us to give tribute to Caesar, or no?

"But he perceived their craftiness and said unto them, Why tempt ye Me? Show me a penny. Whose image and superscription hath it? They answered and said, Caesar's.

"And he said unto them, render therefore unto Caesar the things which be Caesar's and unto God, the things which be God's . . ."

Finally, there is, of course the relieving thought that perhaps the State Legislature may just ignore Wilson's proposal and not ask for the declaration after all.



—Photo by The Times-Picayune.
MACK AVANTS
Barred as school head.

EFFORT TO OUST BOARD FAILURE

U.S. Court Halts Redmond Replacement

The state of Louisiana's latest attempt to oust the Orleans parish school board failed again Friday, just like the first five tries.

A special three-judge federal court halted the state action, as it has done previously.

Also blocked from taking office Friday was Mack Avants, a Baton Rouge educator, who came to New Orleans to replace Dr. James F. Redmond, Orleans school superintendent.

Avants and Dr. Redmond met briefly in the superintendent's office at 703 Carondelet.

"I told him I had been appointed superintendent," said Avants, "and I showed him my credentials.

REDMOND STAYS ON JOB

"I asked him if he would surrender the office."

This occurred shortly before Avants was informed that the school board that had appointed him had been knocked out of office by federal court action.

Federal court halts attempts by the Legislature to take over control of New Orleans public schools. Story in Sec. 1, Page 14.

Dr. Redmond answered Avants that he was not surrendering the office. He cited the federal court action.

"I told him I would not surrender the office," said Dr. Redmond. "This is a decision for the courts."

Avants left the office immediately.

The three-judge court signed two restraining orders Friday, one in the morning and one in the afternoon.

NEW BOARD PICKS AVANTS

The afternoon order restrained the enforcement of an act passed by the Legislature Thursday naming the five school board members, who are:

Emile A. Wagner Jr., presently on the old board; Robert Hickerson, who was named president of the new board; F. Otway Denny, Edward J. Penedo and John Singreen.

This board, in turn, chose Avants as superintendent after conferring with the state's superintendent of education.

The federal court's morning order was a temporary restraining order forbidding the enforcement of the Legislature's action ousting Dr. Redmond.

The restraining orders were signed on the petition of M. Hepburn Many, US attorney here, who also asked that temporary injunctions be issued in the matter after hearings.

ANOTHER STAY ISSUED

A hearing on the petition involving Dr. Redmond is set for Feb. 10 at 10 a. m. No date was set on the other.

The federal court's second restraining order came after swift and secret moves by the state.

The five men named by the Legislature to succeed the present school board had filed oaths of office in civil district court and met Friday morning to name Avants.

This action was quietly taken and not known to federal authorities apparently. The authorities had been waiting to file a restrainer after official word that the governor had signed the new school board bill into law.

The Legislature's action marked the sixth time that the state has tried to remove the Orleans parish school board. The board voted four to one to desegregate schools here Nov. 14 in compliance with a federal court order.

AUTHOR OF LTA BLAST

The two schools were desegregated but have had small attendance. Frantz school had 12 white children and one Negro Friday, while McDonogh No. 19 had only three Negro first-graders.

Avants, who was chosen to take over the number one job here in the school system, is the author of a resolution passed by the Louisiana Teachers' Association at its recent convention in Baton Rouge which condemned federal action in the schools crisis.

The resolution referred to federal Judge J. Skelly Wright, who is one of the members of the three judge federal court. The other two are district Judge Herbert W. Christenberry and Judge Richard T. Rives of the fifth circuit court of appeals.

Hickerson said the board named Avants acting superintendent at the recommendation of Shelby M. Jackson, state superintendent of education.

BACKED BY JACKSON

"When we found that Redmond was addressed out of office, we were faced with the problem of operating without a superintendent," he said. "We asked Mr. Jackson to recommend someone, and he highly recommended Mr. Avants.

"We checked with a couple of other sources and decided on Mr. Avants. I think we are very fortunate."

Hickerson said he did not know if Avant's job would be permanent.

He said that Avants has been active in the state department of education for the last several years and served as president of the Louisiana Teachers' Association from 1946-47.

Avants, 46, is a graduate of Baton Rouge High school, Tulane university and Louisiana State university. He is now a resident of Baton Rouge, but said Friday that if he assumes the superintendent's office here, he would move to New Orleans.

STATEMENT BY HICKERSON

Avants is a former teacher and coach at Ouachita High school and former superintendent of Ouachita parish schools.

Until his appointment to the post here, he was a supervisor in the state department of education.

If his job here sticks, he is expected to be given a leave of absence from the state department of education, said Hickerson.

Hickerson issued this statement Friday before he was informed of the restraining action putting the old school board back in office:

"The Orleans parish school board, the five members of which are Emile A. Wagner Jr., Robert L. Hickerson, F. Otway Denny, John Singreen and Edward J. Penedo, were appointed by the Louisiana Legislature by Art. No. 4 of the third extraordinary session on Thursday, Jan. 12, have all qualified by taking and recording their oaths of office on the afternoon of the same date.

"They met with all members present and organized by electing Robert L. Hickerson a president, F. Otway Denny as vice-president, and Mack Avants as acting superintendent and ex-officio secretary.

WOULD PAY SALARIES

"This board also adopted resolutions requesting the state budget committee to approve the 1960-61 school year budget, and requesting approval of the state bond and tax board to authorize this school board to borrow a maximum of $12,000,000, as and when needed by this board to pay the salaries of all employes of the New Orleans public school system, operated under state laws and also to pay for operating expenses.

"Unless this school board can

make necessary financial arrangements under this resolution, it will be impossible to secure necessary funds to pay school employes because the state has already advanced all state funds appropriated to the Orleans parish public schools, except about five weeks portion of such state funds.

"We can now assure all school teachers and other employes of our city's public school system operated under state law that they will be paid their full salaries and that all other valid bills and accounts due in the operation of public schools shall be promptly paid according to law.

"We should regret any action or obstructive tactics which may be taken by any group for selfish purposes to prevent the orderly administration and financing of our city's public school system in the best interest of our school children and the general public.

'WANT PUBLIC TO KNOW'

"If such obstructive tactics are used, we want the public to know that the responsibility will rest with any such group and not with this school board, created by the Louisiana Legislature which has done all in its power to keep our public schools open and functioning properly, without loss or inconvenience to anyone."

Wagner said the purpose of the new board "has nothing to do with segregation or integration but is to find a way to break the financial blockade."

"We want to keep schools open," he said. "Under the previous circumstances, there was no way to find money to pay the teachers and school bills."

Wagner said he hoped there would be no obstruction.

REDMOND AT OFFICE

Wagner said the governor appointed the new board members because he has "confidence in them."

Dr. Redmond appeared in his office Friday at about 10 a. m. after the three-judge federal court had restrained the Legislature from ousting him from office.

He had delayed his appearance in his office, waiting at home for the federal restrainer which set aside the Legislature's action firing him.

Dr. Redmond was served Thursday night with a legislative resolution ousting him on grounds that he is a pretender to the superintendency and has no legal right to the job. He was accused of being a "usurper of office" by the Legislature.

1961 Finds N. O. Still in Throes Of School Crisis

The Courier
Pittsburgh, Pa.
Sat. 1-7-61

By JOHN E. ROUSSEAU

NEW ORLEANS—The holiday season and Sugar Bowl activities took away some of the sharp edge of the integration dispute in this uneasy city.

But the gravity of the state's last-ditch fight to preserve school segregation was brought home to local school teachers quite vividly when they failed to be paid on Dec. 23 as scheduled.

Significant developments in the Orleans Parish school integration battle during the two final weeks of 1960 were:

●1. U. S. Atty. M. Hepburn Many filed motions charging three top state officials with contempt of the U. S. District Court for withholding salaries of Orleans Parish school workers.

The three, Lieut. Gov. C. C. (Taddy) Tycock, House Speaker J. Thomas Jewell and State Education Supt. Shelby M. Jackson, face a Jan. 13 hearing.

●2. The State House of Representatives, Baton Rouge, failed by three votes to pass Gov. Jimmie H. Davis' $28 million sales tax bill which he said was to finance the continued fight for school segregation.

●3. A three-judge Federal court composed of Judges Richard T. Rives, Herbert W. Christenberry and J. Skelly Wright, issued a seven-page ruling with sweeping denunciations of the State Legislature, and issued restraining orders which placed the Orleans Parish School Board in control of its funds which had been tied up in local banks; also, restraining Gov. Davis from appointing a new school board which was authorized by the State Legislature.

●4. The Orleans Parish School Board was able to pay salaries of teachers at the integrated William T. Frantz and McDonogh 19 School which had been held up by the legislature which paid other New Orleans teachers for November.

●5. More than 4,000 Orleans Parish school teachers and employes faced the holiday season without being paid Dec. 23 when the school board lacked necessary funds and when the legislature said it was unable to pay the salaries because of the Federal court's action.

In a Christmas Eve meeting, some 300 of the 800 members of the New Orleans unit of the white Louisiana Teachers Association voted to seek a meeting with the school board and legislators concerning their pay. The LTA in its November convention in Baton Rouge had gone on record as endorsing the segregation fight of the state legislature.

■

AT PRESS TIME, state legislators were in recess until Jan. 4 presumably mulling over Gov. Davis' request that they not give up the idea of enacting the $28 million sales tax.

New Orleans public school children were out of classes until Jan. 3, however, when schools closed for the holidays the attendance at McDonough 19, where the white boycott was in full effect, was limited to three little Negro girls. Enrollment at the Frantz School included eight white pupils and one little Negro girl.

Mr. and Mrs. James Gabrielle, white parents of six children who were subjected to insults, intimidation, reprisals, vandalism and physical abuse for taking their child to the integrated Frantz School, left New Orleans two weeks ago and are residing in Providence, R. I.

The Rev. L. A. Foreman, pastor of St. Mark's Methodist Church of the Vieux Carre, was subjected to similar mistreatment by pro-segregationists for allowing his small daughter to attend the Frantz School. At press time he had given no indication that he would withdraw the child from the school.

Violence Likely To Follow Mixing, Louisiana Warns 3 Federal Judges

The Montgomery Advertiser
Montgomery, Ala.
Thurs. 1-19-61
P. 13-A

NEW ORLEANS (AP)—A Louisiana district attorney warned a three-judge federal hearing Wednesday public school integration in his area of Louisiana, where Negro school children outnumber whites, could lead to violence.

The warning came from Dist. Atty. Duncan Kemp of St. Helena Parish, a rural area about 65 miles northwest of New Orleans on the Louisiana-Mississippi state line.

The three-judge panel heard appeals by the State of Louisiana in four school integration cases and took them under advisement. Court attaches said they had no idea when a ruling would be issued.

State Atty. Gen. Jack Gremillion asked that the cases be remanded to a lower court for additional hearings.

The court conducted a three-hour hearing on the appeal of U.S. District Judge J. Skelly Wright's orders directing integration in St. Helena and East Baton Rouge parish school systems and at state vocational-trade schools at Shreveport, Greensburg, Natchitoches, Crowley, Lake Charles and Opelousas.

Asst. State Atty. Gen. William Schuler contended that Negro plaintiffs in the East Baton Rouge and St. Helena cases had not exhausted administrative remedies for admission to all-white schools.

He said no Negroes have actually applied for admission to the parishes' public schools and that the school boards had not been given an opportunity to put into operation the state's pupil placement laws.

Court action in the four cases was held up pending legal maneuvering in New Orleans school integration rulings. Public schools integrated last Nov. 14 in New Orleans.

Chief Judge Elmer Tuttle of the U.S. 5th Circuit Court of Appeals reminded Schuler that the Negro plaintiffs could seek court remedy if they showed that the school systems were segregated, regardless of pupil placement laws.

Tuttle noted that no order setting a date for integration had been entered in any of the cases.

Attorneys representing white school children in both parishes maintained the district court should have considered psychological and sociological factors before handing down the desegregation order.

But Tuttle reminded attorney Wade Heaton of Baton Rouge and John Barnett of Greensburg that the district court would have an opportunity to study various local factors at such time that a definite integration date is set.

In his oral argument, Kemp told the court that the St. Helena situation is vastly different from that in East Baton Rouge, where the state capital is located, or in New Orleans.

"Baton Rouge is highly industrialized," he said. "We have only two industries—welfare and politics."

Court Blocks Firing of La. School Heads

The Courier
Pittsburgh, Pa.
Sat. 1-21-61

NEW ORLEANS—A Federal Court wrote another chapter in the drawn-out desegregation battle here by blocking two new attempts by the state to gain control of New Orleans public schools.

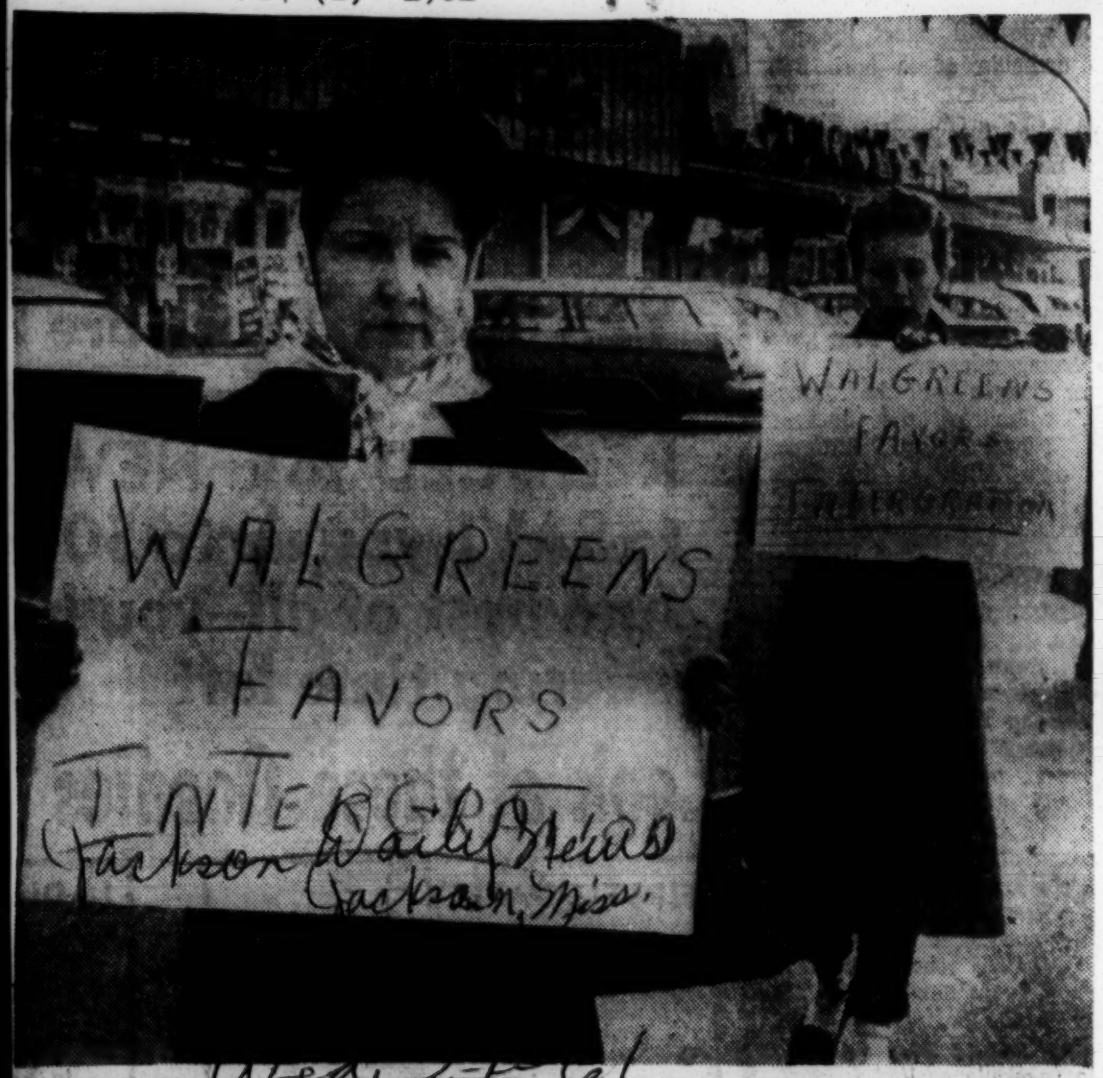
The latest move by the State Legislature was aimed at removing Dr. James F. Redmond as school superintendent and replacing members of the Board of Education. All have been under fire for complying with court orders to desegregate city schools.

The move was undetected by Federal authorities until Mack Avants, who was chosen by the Legislature to succeed Redmond, filed to take his oath of office as superintendent. Action was taken immediately.

FOUR NEGRO first-graders are still attending the two desegregated schools. One school has an enrollment on one Negro and 12 whites, while the other school has only three Negro pupils.

More than 1,000 white pupils, who normally would attend the two schools, are being kept away by their parents to protest desegregation.

The attempt to unseat Redmond was based on a charge that he had no legal right to the post. Similar action was taken against him last November, but it, too, was declared void by the Federal Court.



SCHOOL INTEGRATION PROTEST—New Orleans women protest break in white boycott of McDonogh 19 school by carrying signs in front of a store owned by the chain (Walgreen's) which employs John Thompson whose two sons broke the once complete boycott. The store, about two miles from the school, is in adjoining St. Bernard Parish.—Daily News-A.P. Wirephoto.

School Boycott Breaker Quits New Orleans

By Ken Siner

NEW ORLEANS, Feb. 1 (UPI) — Jubilant segregationists whooped it up today after harassing out of town a white family that dared send two boys through a boycott to desegragated McDonogh 19 School.

Alabama-born John N. Thompson, 33, and his wife and six children packed up during the night and fled segregationist pressures. His sons, Gregory, 9, and Michael, 8, for the past three school days attended McDonogh.

They were the first white children to go to the school with three Negro first-grade girls since Nov. 17, the third day of federally ordered desegregation.

Walgreen's drug stores, which employed Thompson as a $70-a-week assistant soda fountain manager, announced that the former serviceman had requested and received a transfer away from New Orleans. The firm would not disclose where Thompson was going.

Women Shout News

"Well, we got our boycott again," white mothers shouted when the news of Thompson's surrender broke this morning.

The triumph sparked new segregationist vigor, which had appeared waning, and white housewives vowed to establish a complete white boycott at the city's other integrated school, William Frantz.

A lone Negro first-grade girl attends Frantz with 10 white children. The parents of those white children have resisted threats, vandalism and economic pressures since the beginning of desegration to keep their sons and daughters in the public school.

Thompson, from Sylacauga, Ala., enrolled Gregory at McDonogh Friday. Yesterday, Michael joined his brother at the school.

The crack in the boycott ended after concerted anti-desegregation effort to torment the Thompsons. Their landlady ordered them out of their $70-a-month, four-room apartment. White mothers from the McDonogh School district picketed a Walgreen's store, carrying signs saying, "Walgreen's Favors Integration."

School Officials Silent

The women promised: "We'll get him fired if it takes a year."

Disheartened school officials, who had hoped the McDonogh break in the boycott would signal a return of white students to the McDonogh and Frantz Schools, would make no comment on Thompson's departure.

The Alabama man, who has only a ninth-grade education, had indicated as late as last night that he would stay in New Orleans and fight the segregationists' efforts to dislodge him.

"Anybody who bothers my home is gonna have to mess with me," he had warned.

The Thompsons moved into the McDonogh district in December. The two boys first attended a segregated school in nearby St. Bernard Parish (county), because their mother, 27-year-old Mary, feared they might be harmed if they went to the desegregated school.

But after enrolling Gregory at McDonogh Friday, the couple said they did so because "we think the teaching is better here." Most of the more than 1000 white children formerly attending McDonogh and Frantz have transferred to the makeshift school in St. Bernard Parish called Arabi Annex.

The handful of women demonstrators in front of McDonogh today vowed no one else would break their boycott again.

"We slipped up once, but we ain't gonna let it happen again," was their victory shout. "We're gonna patrol out here in shifts. We'll have somebody here all the time."

2 White Lads Enter School Amid Taunts

A 10-week white boycott of the McDonogh 19 Elementary school, one of two public schools integrated here by federal order November 14, was abruptly broken here Friday when John Thompson sent his son, Gregory, 10, back to classes.

Thompson's actions set off a chain reaction which included his swift dismissal and as rapid re-instatement by local Walgreen district management of the famous national drugstore chain.

When questioned about his son's return to McDonogh 19 Thompson replied that another son, Michael, 8, would enter Monday and would have accompanied his brother on Friday but was ill. On Tuesday Thompson's promise was made good and the former all-white public school, which has been boycotted by white parents, had its white enrollment doubled to two students.

Both the Thompson children and the three little Negro girls who have attended since "Integration Day, Nov. 14," have been accompanied to and from school by U. S. Marshals, through the howling, name-calling lines of white women composing the "segregation gallery."

The demonstrations continue and have spread outside of New Orleans to a Walgreen store outlet in the 7200 block of St. Bernard Highway where ten white women have been "walking with picket signs reading, WALGREEN'S IS FOR INTEGRATION." Thompson is not employed at the St. Bernard store.

According to reports, the white-picketing group did not receive the city's new required permit necessary before "such action is taken on the part of protesting citizens."

From reliable sources it has been learned that many white parents are regreting their hasty action and would return their children to the Frantz and McDonogh public schools, but are afraid that they would lose face with their fellow comrades.

Thompson stated that his children were not receiving the kind of training needed in the new converted St. Bernard school.

Other pressure including eviction from his home now faces Thompson, because he demonstarted courage and removed his children back to their own "school backyard."

Thompson stated that his rent is paid and he will not move unless legal eviction action is taken by his landlord.

Harassed Family Quits New Orleans

By KEN SINER

NEW ORLEANS (UPI)—Jubilant segregationists whooped it up Wednesday after harassing out of town a white family which dared send two boys through a white boycott to integrated McDonogh 19 school.

Alabama-born John N. Thompson, 33, packed up his wife and six children during the night and left New Orleans. His sons, Gregory, 9, and Michael, 8, for the past three school days attended McDonogh.

They were the first white children to go to the school with three Negro first grade girls since Nov. 17, the third day of federally ordered integration.

Walgreen's Drug Stores, which employed Thompson as a $70-a-week assistant soda fountain manager, announced the ex-GI had requested and received a transfer away from New Orleans. The firm would not disclose where Thompson was going.

NEW VIGOR

"Well, we got our boycott again," white mothers shouted when the news of Thompson's surrender broke.

The triumph sparked new segregationist vigor, which had appeared waning, and white housewives vowed to establish a complete white boycott at the city's other integrated school, William Frantz.

A lone Negro first grade girl attends Frantz with 10 white children. The parents of those white children have resisted threats, vandalism and economic pressures since the beginning of integration to keep their sons and daughters in the public school.

ORDERED TO MOVE

Thompson, from Sylacuga, Ala., enrolled Gregory at McDonogh Friday. Tuesday, Michael joined his brother at the school.

The brief crack in the boycott apparently resulted from the concerted anti-integration effort to torment the Thompsons. Their landlady ordered them out of their $70-a-month, four - room apartment. White mothers from the McDonogh school district picketed a Walgreen's store, carrying signs saying, "Walgreen's favors integration."

The women promised: "We'll get him fired if it takes a year."

NOTE FOUND
School Mixing Figure Is Shot

NEW ORLEANS (AP)—Robert Hickerson, appointed president of the New Orleans School Board by the legislature but never seated, died of gunshot wounds in his office last night.

Homicide detectives Fred I. Williams and John Weber said a .38 caliber revolver was found near the body of the 55-year-old attorney.

NOTE FOUND

Police said they found a note on a windowsill in the suite of offices Hickerson occupied with several associates giving names of persons to be notified in case of Hickerson's death.

No classification of death was made pending an autopsy later today.

Hickerson, secretary of the South Louisiana Citizens Council, was named by the legislature last month as one of five members of a new school board for Orleans Parish.

The appointed board named Hickerson president at a meeting in his office, but federal court orders restrained the appointed board in its efforts to take control from the elected board.

The restraining order was just one of many in the long and involved legal tangle growing out of school desegregation in New Orleans.

Mrs. Phlemene Daniels, 61, a cleaning woman, found Hickerson's body in the 23rd floor suite in the American Bank Building at 11 p.m. last night. The body had fallen across some rugs and boxes apparently prepared for storage and ended slumped against a wall, investigating officers said.

SHOT BEHIND EAR

Dr. Ignacio Medina, assistant coroner, said one bullet wound was found behind the right ear.

The school board Hickerson headed made a sudden move Jan. 13 to win control of the city's public schools, a move the board believed would halt desegregation of public schools.

At the time Hickerson said in a statement the only hope of solving the school financial crisis which grew out of the desegregation battle, rested with the new board.

Survivors include the widow, a daughter, his mother, brother and three sisters.

Some Leaders in New Orleans

Significantly, business and civic leaders in New Orleans have paid tribute to four men who stood for law, order and sanity in the city's still not completely resolved school desegregation battle.

The four are members of the New Orleans school board. They earned the honor paid them at a civic banquet — earned it at first falteringly then steadily under a crossfire of opposing public and political pressures.

It is often sadly remarked that in crises such as those of Little Rock or New Orleans responsible leadership comes too little and too late. While appeasement of law-breakers has been evident at many points in the desegregation struggle, distant observers should remember that there are citizens like the members of the New Orleans school board who risk undergoing bitter criticism from both sides in order to gain a reasonable solution in accordance with the law of the land.

Leadership from these sources is often anything but spectacular. But it is as necessary in its way as the more lonely courage of parents and first graders braving the catcalls of the mob. Its aim is to heal immediate wounds and get on with education. As the tribute from some 1,600 other civic figures indicates, this calm leadership can help rally others to carry on the job of getting the community back to a new normal.

Catholics Urged To Break New Orleans White Boycott

WASHINGTON (AP) — A Roman Catholic organization called upon Catholics in New Orleans Saturday to break the white boycott at two public schools in which Negro pupils have been entered.

The statement came from the 26-member board of the National Catholic Conference for Interracial Justice as it concluded a two-day meeting.

"In the case of those parents whose children should be in the Frantz and McDonogh schools," the statement said, "we urge consideration of the harm to their children by encouraging lawlessness, by transporting them to schools outside New Orleans, or by not sending them to school at all."

Almost all white pupils have remained away from the two New Orleans schools since they admitted a few Negro students under court order.

The statement referred to a November 1960 statement by the U. S. Catholic bishops which discussed the importance of individual responsibility in efforts to achieve interracial justice.

President Pledges To Use Authority To Get Results In Civil Rights Disputes

"Carefully Considering" Steps For New Orleans

Atlanta Daily World
Atlanta Jour.

BY ALVIN SPIVAK
(United Press International)

WASHINGTON, (UPI)—President Kennedy pledged Wednesday to use the "moral authority" and influence of the White House in the New Orleans school integration crisis and other civil rights disputes whenever such action promises results.

Thurs. 2-9-61

He told a news conference his administration was "carefully considering" what specific steps to take in New Orleans where segregationists have organized a campaign to block white children from entering schools opened to Negro pupils.

He indicated these steps would be disclosed later. But he promised that at such time as I think it is most useful and most effective, I will attempt to use the moral authority or position of influence of the presidency in New Orleans and in other places."

Much of Kennedy's conference was devoted to civil rights. In talking about the New Orleans case in particular, he said: "as far as New Orleans goes, my position is that all students should be given an opportunity to attend public school, regardless of race."

The wide-ranging news conference, the third held by the President since he entered the White House 19 days ago, produced these other major developemtns:

—The administration has not yet completed a study which should show whether there is a "missile gap" between the United States and Russia. The President said the study should be completed by Feb. 20 and until then "we are not prepared to make a judgment."

—The President is not prepared to follow through, at least now, on a task force proposal that he be given authority to cut taxes within a sliding scale laid down by Congress. He said the administration will make another "judgment" on the state of the economy in April.

—Kennedy appealed to business groups to set up a code of ethics such as unions have — and he said he was watching and "hoping" the unions will live up to their codes. He said he was interested in seeing what business firms did in view of "the effort made by the large electrical companies to defraud the government." He referred to the fines and sentences meted out to electrical companies by a Philadelphia court this week.

TO STUDY YOUTH PROBLEMS

—A "Child Health Center" is being established within the Public Health Service to deal with the problems of children, especially with respect to research on causes of mental retardation.

The President was asked about the role played by administration officials in the battle to wrest control of the House Rules Committee from a conservative coalition of Republicans and Southern Democrats. The questioner referred to telephone calls and other "activity" by cabinet members and others.

The President said in reply that the White House will try to keep "close contact" with Congress to make sure the administration's program has the best possible chance of passage.

As for supervision of federal regulatory agencies, The President said this was the "special responsibility" of Congress. He doubted it would be wise to turn this responsibility over to the White House, as suggested, in effect, by Presidential Aide James M. Landis.

On two foreign policy matters, the President announced that Canadian Prime Minister John Diefenbaker would come here Feb. 20 for discussions, and said no consideration had been given to having heads of government attend a NATO foreign ministers meeting in Oslo, Norway, in May.

—Kennedy will meet this week with Llewellyn Thompson, U. S. ambassador to Russia, "to chart our future relations with the Soviet Union." The President said he hoped some "full results" could be worked out with the Russians concerning such issues as the Congo and Laos.

TO STUDY CUBANS

—The administration is giving "high priority" to problems stemming from the attempt by Fidel Castro's Cuban regime to "export its revolution" to the rest of Latin America.

—The United States has no information that the 7.1-ton satellite launched by Russia last week carried a man into space. Kennedy said the United States will not rush a man into space for "prestige" purposes, but will be extremely careful to assure his safety even if it means "we're going to come in second."

—Former Secretary of State Dean Acheson has been named head of an advisory group to help Secretary of State Dean Rusk determine how the United States can best forge ahead as a "full and energetic partner" in the North Atlantic Treaty Alliance. Terming NATO "our most important defense alliance," Kennedy said this country will maintain full strength as a military partner in Europe.

Louisianian Likes JFK Views Of JFK

Jackson Daily News
Jackson, Miss.

BATON ROUGE, La. (AP)—The top state sovereignty leader for Gov. Jimmie H. Davis said Saturday he was very encouraged that President Kennedy seems to understand Louisiana's school integration problem.

Chairman Frank Voelker Jr. of the State Sovereignty Commission said he felt the President's news conference comments showed "a new and fairer, more sensible and more realistic approach to a solution of one of our most critical domestic problems."

While Voelker spoke only for himself, his comments in an Associated Press interview, were the first public reaction to Kennedy's views by a member of the Davis administration.

The governor, ill with influenza, has declined comment.

Davis did not back anyone for president, showing irritation at both party platforms on the civil rights issue. But Louisiana gave its 10 electoral votes to Kennedy.

Davis Thursday summoned the legislature to its fifth straight special session, starting at noon Wednesday. This time it will consider a local option system offering people the choice of private, segregated school.

Two New Orleans schools were integrated by federal courts Nov. 14. Now schools in populous East Baton Rouge Parish and rural St. Helena face the next desegregation orders.

In his news conference, Kennedy said "Students should be permitted to attend schools in accordance with court decisions. The broader question, of course, is — regardless of the court decision — I believe strongly that every American should have maximum development of his talents, under the most beneficial circumstances, and that is what the constitution provides."

The President also said he would assume a role in the school integration dispute "at such time as I think it most useful and most effective."

Though the President apparently acknowledged "the validity of the Supreme Court decision," Voelker emphasized "he very clearly states that regardless of the decision, every American should have maximum development of his talents under the most beneficial circumstances."

Voelker said, "The President seems to have an appreciation and understanding of our problem and the burden imposed by the court."

Kennedy Promises Action On Mixing

the News + Courier

Charleston S.C.

WASHINGTON (AP) — President Kennedy said Wednesday he will assume a role in school integration disputes "at such time as I think it is most useful and effective."

With this qualification, Kennedy pledged at his news conference to "use the moral authority or influence of the presidency in New Orleans and other places."

The President said he has been considering whether or not to step into the New Orleans situation, where white students have boycotted two schools ordered integrated by federal courts on Nov. 14.

"I want to make sure that whatever I do or say does have some beneficial effect," Kennedy said.

In Louisiana, a segregation leader, State Rep. John Barrett, said Kennedy "would best devote his time to Washington and straighten out that mess up there and leave the states to run their own affairs."

Barrett, chairman of Louisiana's joint legislative committee on segregation, added: "As far as the state's functions, we will continue to run them according to the laws of the statt of Louisiana."

A reporter brought up the question by recalling that Kennedy had said during the presidential campaign that he would use his moral authority as President in the civil rights field.

In New Orleans, the reporter said, "apparently an organized campaign of intimidation has kept most white children out of those schools and effectively frustrated the court order." He asked what Kennedy planned "to say or do to help the New Orleans families who evidently want to obey the Constitution, but are afraid to do so?"

After Kennedy said he would act when he thought action could do some good, the reporter pressed him to say what he might do about New Orleans.

"It is my position," Kennedy said, "that all students should be given the opportunity to attend public schools regardless of their race, and that is in accordance with the Constitution.

"It is in accordance, in my opinion, with the judgment of the people of the United States. So there is no question about that."

Then Kennedy repeated that "we are carefully considering what can most usefully be done to help implement the court decision in New Orleans.

"On the general question," he said, "there is no doubt in my view.

"Students should be permitted to attend schools in accordance with court decisions. The broader question, of course, is — regardless of the court decision — I believe strongly that every American should have maximum development of his talents, under the most beneficial circumstances, and that is what the Constitution provides."

Louisiana Segregationist Hails Kennedy's 'Fairness'

The News and Courier Charleston S.C.

Sun. 2-12-61

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LEGISLATORS MEET TODAY
New Orleans Schools Open Without Incident

NEW ORLEANS, La. (AP) — Public schools in New Orleans—embroiled in a segregation-integration battle for almost two months—reopened quietly Tuesday after a 10-day Christmas vacation.

White attendance rose at William Frantz Elementary School, one of two integrated by federal court order Nov. 14. When the schools closed for the Christmas holiday Dec. 23, there were eight white students and one Negro girl attending classes.

Tuesday, 13 white pupils and the Negro girl turned out for school.

As has been the pattern since integration began, only three Negro girls went to school at McDonogh No. 19.

About 15 or 20 white women watched—but did not boo or jeer—as federal marshals escorted the children to Frantz in 41-degree weather. There were no demonstrators at McDonogh No. 19.

In Baton Rouge, State Education Supt. Shelby M. Jackson advised the only way to break the white boycott of the two schools was to remove the Negro students.

State officials have had little success in trying to remove the Negroes from the two schools. And they indicated there is little promise of a solution to the integration problem or its by-product, school financing.

The state legislature reconvenes its special session Wednesday and resurrects the battle over an increase in the state sales tax.

Gov. Jimmie H. Davis contends the tax—estimated to raise $28 million in the next eight months—is needed to sponsor private and segregated grant-in-aid schools as a substitute for the integrated schools.

The tax failed by three votes just before the Christmas holidays.

The legislature has ordered all banks holding state money to conduct no business with the Orleans Parish — County — School Board, no longer recognized by the legislature.

Violence Is Denied By Segregationist

'Strangers' Get Blame For New Orleans Trouble

NEW ORLEANS, Dec. 31. — (AP)—The president of a segregated private school organization said Saturday his organization believes strangers were sent to integrated school areas in New Orleans to cause trouble.

In a quarter page ad in the Times-Picayune, Armand J. Duvio, president of the Frantz Educational Co-operative, Inc., denied that parents near the schools have been guilty of violence.

In connection with the state's efforts to raise taxes to support grants-in-aid for private segregated schools, Duvio wrote:

"It is hard for the people of the Ninth Ward (where integrated William Frantz School is situated) to believe that legislators who were supposed to have been sincere in their efforts to preserve segregation in our public schools could oppose the only means whereby the private school system could be financed."

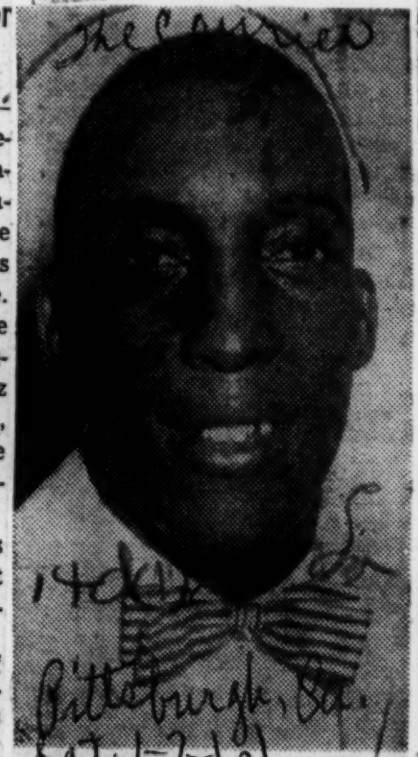
A proposal to raise the state sales tax from two cents to three cents failed of a two-thirds majority in the House, and Gov. Jimmie Davis has made another appeal for approval of the eight-month levy when the Legislature reconvenes next week.

Duvio said that some legislators who voted against the tax proposal were dominated by New Orleans Mayor Delesseps Morrison.

The private school president also took issue with an advertisement recently published in the same newspaper. In this ad 100 business and professional men asked an end to threats, defamation, resistance and street demonstrations in connection with the picketing at integrated schools.

"It is my observation," Duvio wrote, "that practically all of 'public - spirited' businessmen were staunch political supporters and heavy financial contributors of Mayor Morrison in his many political campaigns.

"Their feelings are certainly biased. Also, nearly all of these men either live uptown or in Metairie. None of them resides in the area of the two integrated schools."



THREATENED—Julius E. Jenkins, prominent New Orleans realtor, was threatened twice by telephone by persons who accused him of helping finance the NAACP's fight to integrate public schools in New Orleans. Both messages, recorded on his office telephone recorder, threatened him with death, and said his home would be burned. Jenkins has notified local police and the FBI.

Tulane University
White Students Rap La. Solons on Race Issue!

NEW ORLEANS — Approximately 100 students of the all-white Tulane University here have signed and distributed a pamphlet, "Tulanians Dissent," which takes to task the people of Louisiana and the State Legislature for recent incidents which followed the Federal Court-order Nov. 14 integration of two New Orleans public schools.

Copies were mailed to all members of the legislature and to influential news and opinion sources throughout the state.

The pamphlet, which bears 95 signatures, purports to represent six times that number of Tulane students, the others being afraid to sign because of the possible consequences, a notation stated.

"We should like it to be known that Louisiana cannot be classified as a homogeneous front for segregation," the notation said. "In another respect, we feel that it is necessary for people in the country to know that genuine dissent exists in Louisiana."

■

THE PAMPHLET, which said its opinion does not necessarily represent the official position of Tulane University, is quoted:

"One sets out with some misgivings to write about current political conditions in Louisiana. The public affairs of the state have taken on, in the past two months, an aura of unreality which, by comparison, makes Alice in Wonderland appear stark realism.

"The governor and the legislature reveal themselves masters of Orwellian doublespeak—to hate the Negro is to love him; to discriminate against the Negro is to accord him equality; peaceful protest includes the hurling of rocks and eggs, telephone harassment, rioting in the streets and constant threats of violence; both major political parties, both Presidential candidates and the Federal judiciary are communist-inspired and the national capitol is seething with subversion; teachers who obey Federal court orders are to be investigated for subversion and disloyalty; the people of Louisiana who elected Kennedy electors did not really do so and the vote of the electors should be changed; the press called peaceful protest criminal mischief and rampant vandalism peaceful protest.

■

"IN SUCH an atmosphere one feels impelled to succumb to the general irrationalism and lash out with the same interperate, unconsidered, epithet-hurling one sees and hears on every side. Yet, what does this accomplish?

"Does it help to assert that the legislators are ignorant bigots with one eye to quiting their own inadequacies by persecuting the Negro and the other to any modicum of political or economic advantage which the melee may bring within reach?

"Does it help to notice that the state judiciary abandons all semblance of judicial decorum and lends itself to the patently farcical segregation struggle?

"Is it of any use to recount the idiocies of the chief executive who engages in debate with a newsman, asking him if he would want his four-year-old daughter to marry a Negro?

"CAN IT BE believed that the mayor of a city of 600,000-odd souls asserts in a news conference that telephone campaigns of organized vilification and intimidation are within the rights of 'peaceful dissent'?

"Is it creditable that packs of marauding jackals destroy property and inflict bodily injury with impunity, while college students are arrested for distributing protesting but non-inflammatory literature opposing segregation?

"Assuredly, to state these things is to labor the obvious; yet perhaps the mere putting them on paper relieves the inner tension and makes possible a sober analysis of the situation."

Top Louisiana Officials Face Jan. 13 Trials

NEW ORLEANS — (ANP) A three - judge federal tribunal has set Jan. 13, as the date for Lt. Gov. C. C. Aycock of Louisiana and two other top, state officials to show cause why they should not be held for contempt for interfering with integration of New Orleans schools.

Aycock, the House speaker, Thomas Jewell, and the state education superintendent, Shelby M. Jackson last week were slapped with contempt citations. The court's action came just a few minutes before the state's House of Resentatives defeated a tax measure aimed at preserving segregated schools.

THE FEDERAL tribunal also ordered New Orleans banks to release funds to pay the salaries of teachers and other personnel at two New Orleans elementary schools integrated by court order Nov. 14.

The panel of judges warned the state that it would rule against any further attempts to end public school integration The tribunal's sharply worded ruling left Louisiana segregationists without hope of overcoming integration in the courts.

N.O. Educator Consider Offer

Chicago Defender

Chicago Ill.

NEW ORLEANS — (UPI) — New Orleans school officials told St. Louis heiress Ellen Steinberg as soon as they get their breath they will let her know if they can take her offer of $500,000 to save the city public schools from anarchy and ruination.

"This magnificant gesture practically has taken my breath away," school board President Louis G. Reicke, sr., wired Miss Steinberg.

"It's an amazing experience," said Dr. James Redmond, school superintendent, who was on the telephone with Miss Steinberg's attorney all day.

"I am so deeply touched with this. And I hope that other people who have long been silent will find this an encouragement," Redmond added.

Both men were openly amazed at the offer, aimed at filling the gap created by the worse."

Louisiana Legislature's freezing school income and assets over the integration of two public schools here.

"Please know," said Reicke's telegram, "we will consider very seriously your offer in relation to our overall financial situation and communicate with you in the immediate future. For your generous offer we are most appreciative.

Miss Steinberg's telegram posting the offer read:

"My admiration for the courageous stand of the Orleans Parish (county) School Board on behalf of the American Constitution and human rights prompts me to offer a loan of $500,000 to help you keep your schools open. I hope others will join me and enable you to pull through this trying crysis for education and American Democracy."

Boycott holds, teachers' pay still problem

The Pittsburgh Courier

Pittsburgh Pa.

1-3-61

NEW ORLEANS, Jan. 3—(AP)—The white boycott of New Orleans integrated schools weakened only a little today after the 10-day holiday vacation.

Thirteen white children and one Negro girl attended classes at William Frantz School. Only eight white children attended prior to the Christmas vacation.

But, at McDonogh No. 19 School three Negro girls had the three-story school to themselves—just as it was before Christmas.

U. S. DEPUTY MARSHALS still escorted children into the two two schools. There were no demonstrations in the biting 40-plus degree chill.

With the holidays over, the New Orleans School Board renewed its struggled to find money to pay teachers, who have missed one of the last two paychecks.

Mrs. Mary Sand, president of Save Our Schools Inc., said yesterday she did not except attendance at the two schools to increase. She added there might be a slight increase at Frantz, "but I don't believe so."

Most of the white pupils boycotting the two integrated schools in Orleans Parish (county) have been attending white, segregated schools in adjoining St. Bernard Parish.

The Orleans Parish School Board is scheduled to receive bids Jan. 9 on a $12,750,000 loan. The board has asked the state bond and tax board to authorize the loan. School board funds have been tied up in litigation involving the state and federal governments and the school board.

No Schools Close, Louisiana Is Told

Atlanta Constitution
Sat 13 Thurs 8-31-61

NEW ORLEANS, La. (AP)—A three-judge federal court Wednesday struck down Louisiana's school closing law—which permitted school districts to vote in favor of abandonment of public schools faced with integration orders.

Atlanta Jour

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the school closing law, but did not rule the grants illegal.

NOT THE TIME

"This is not the moment in history for a state to experiment with ignorance," said the opinion by Judge John Minor Wisdom of the U.S. 5th Circuit Court of Appeals and U.S. Dist. Judges J. Skelly Wright and Herbert W. Christenberry.

"When it does, it must expect close scrutiny of the experiment."

The court ruled that the "local option" law passed by a special 1961 session of the Louisiana Legislature violated the equal protection clause of the 14th Amendment on two counts.

"It is a transparent artifice to deprive the Negro plaintiffs of their constitutional right to attend desegregated public schools," and since the state provides public schools in other parishes closing the schools in St. Helena would discriminate against the children in that parish, regardless of race, the opinion said.

RURAL PARISH

The action was filed by Negro residents of St. Helena, a rural parish 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwhelmingly voted to close schools rather than to submit to integration.

The parish schools have already opened for the fall term on a segregated basis.

IN LOUISIANA

Montgomery Advertiser
Thurs 8-31-61

School Closing Law Cut Down

Montgomery Ala.

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The judges, in a rare move, had asked the attorneys general of the 50 states to submit "friend of the court" briefs in the case outlining their view in the case, including the duties of a state to establish and maintain public education.

However, Wednesday's opinion did not touch on the due process clause or the maintenance of public school systems by a state.

Orleans School System to Get Funds for October

The Times-Picayune
P 1

By CHARLES N. HARGRODER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La.—With the state treasury straining to meet its obligations from current revenue, state Treasurer A. P. Tugwell said Tuesday he would advance $1,288,999 to the New Orleans school system due in October.

Wed. 10-11-61

Meanwhile, Orleans schools still face a delay in approval of $10 million of a capital improvements issue which has been voted but which still awaits the okay from the state bond and tax board.

Tugwell said a final $19 million in September revenues will go in short order, and the state will yet owe more than $30 million. Of September receipts, $3,717,385 will go to school boards which have held an I-O-U from the state since July and August.

New Orleans

Despite this, Tugwell said the state will still owe schools another $7,300,000 for September and $11 million for October.

Orleans schools have been given preferential treatment, Tugwell said, because the school board there is unable to borrow money, a condition resulting from confusion as to who is running Orleans schools.

The October advance will be placed in a special legislative account, payments from which are made only at direction of state Rep. Risley Triche of Assumption parish, chairman of a special eight-man legislative committee appointed to operate Orleans schools and which, as far as the state is concerned, supercedes the Orleans school board.

The delay in approval of the capital improvements bonds was indicated when the state bond and tax board office Tuesday showed that after the original request for approval was made by the school board about a year ago, no action was taken. About two weeks ago the school board appealed to Gov. Jimmie H. Davis, ex-officio chairman of the board, to give the go ahead on the bonds.

This was followed by an in-person appeal from state Reps. Edward F. LeBreton Jr. and Joseph S. Casey of New Orleans. They later reported the governor was sympathetic but suggested they consult with Triche and his legislative committee.

Triche said Tuesday he has not been contacted in the matter.

"The only communication I have seen was a copy of a letter or a telegram to the governor," Triche said.

The bond and tax board, which meets at the call of the governor, has no meetings scheduled, that office said.

The revenue-deficit issue has further complicated other state functions.

Tugwell said that of $19 million in final September payments, in addition to the Orleans and other school money, he must pay $1,029,000 in bond interest, about $10 million to state agencies for payrolls and other expenses, $1,026,000 to parishes for their share of severance taxes, $1,209,000 to municipalities for their share of the tobacco tax, and $828,000 due parishes in gasoline taxes.

But Tugwell is stumped on about $5 million in highway warrants which he says the state cannot pay. In addition, he said he could not distribute any more homestead exemption refunds to parishes in October.

The $19 million is only a fraction of September revenues, Tugwell reminded, but he said earlier revenues have already been spent.

Attendance Increases At 4 New Orleans Schools

NEW ORLEANS (AP)— Attendance rose in four of six New Orleans integrated schools Monday to begin the second week of the second year of desegregation.

Police Supt. Joseph Giarrusso said heavy police patrols, which manned barricades at the six schools, were reduced because of the peace and quiet during the first three days of classes.

A few police officers will stay in the school areas, Giarrusso said, and a reserve force will be available.

Five white pupils attended McDonogh No. 19 Monday compared with six Friday. The student body of 467 walked out after it was integrated last Nov. 14.

Seventeen white students went to William Frantz School Monday, compared with 13 Friday. Only 7 to 23 pupils stayed on after last year's desegregation.

Frantz has one Negro pupil and McDonogh 19 has five. They were the only schools integrated last year.

Among the newly desegregated schools, Lusher had 238 white pupils compared with 227 Friday; McDonogh No. 11, 206-194; Wilson, 371-370; and Benjamin, 68-78.

Lusher has two Negro students; McDonogh No. 11, one; Wilson, one, and Benjamin, two.

Marshals Going To New Orleans

Requested By Court For Stand-By Duty

WASHINGTON, Aug. 31. — (AP)—Sixty United States marshals have been ordered to New Orleans on stand-by duty for the opening of public schools next week, the Justice Department said Thursday.

A spokesman said the marshals were requested by the Federal District Court in New Orleans.

The 60 men are in a group now completing their annual two-week training period in South Carolina. They will finish the training this week, and then be assigned to Camp Leroy Johnson, a naval base on Lake Pontchartrain.

The Justice Department spokesman emphasized that the marshals were being sent to New Orleans only because the court requested it. He said the court specified no particular number, and these 60 are being sent because they were already gathered together in one group.

The spokesman said the marshals would remain in the New Orleans area as long as necessary.

BELLS TO TOLL SCHOOL OPENING

200,000 Will Return to Studies in N. O. Area

School days, schools days. . . New Orleans children will think about this, some unhappily, as they head back to the school buildings Tuesday.

More than 200,000 children in this area are expected to hear the bell ring. Some will hear it sooner than others.

Policemen will hear the bell, too, as New Orleans public school prepare for the desegregation of six schools.

Upward of 60 policemen will be stationed at each desegregated school to prevent possible demonstrations.

REGISTRATION TO START

Here is the lineup for the return to school:

New Orleans public schools are to begin classes Thursday, but registration for the kindergarten through the 12th grades will be Tuesday and Wednesday at the respective schools for new students.

Parochial schools will start classes Tuesday, with an expected enrollment of about 49,000 in the city. The parochial schools will be segregated.

Jefferson and St. Bernard parish children will also begin classes Tuesday, with almost 45,000 in attendance.

Two of the city's public schools are expected to pickup on a desegregation basis where they left off last semester. They are the William T. Frantz school and John McDonogh No. 19 school. The latter school only had three Negro first graders in it when the last semester ended, the white children having moved to other schools.

DATE NOT FIXED

No date for the desegregation of the four other public schools in the city has been announced. They are to admit less than 10 Negro pupils not later than Sept. 15.

In all, an estimated 92,000 children will be in the city's public school system.

The four additional public schools to be desegregated are Judah P. Benjamin, McDonogh No. 11, Robert M. Lusher and Andrew H. Wilson.

Mayor Victor H. Schiro and police Supt. Joseph I. Giarrusso have warned that no breach of the peace will be tolerated at the desegregated schools.

Appeals for peace have been made also by civic, professional, business and church leaders.

Police will erect barricades one block in each direction of the desegregated schools, beginning Tuesday.

Parents taking their children to the schools will be required to leave the school area once their children are inside. Only authorized persons will be permitted inside the barricades.

New Orleans Chamber Appeals To Citizens for 'Law, Order'

NEW ORLEANS—The Chamber of Commerce of the New Orleans area has appealed for law and order on the eve of school opening as four more of the city's public schools are scheduled for desegregation.

Adopting a resolution, the Chamber of Commerce stated that such incidents as last year create an unfavorable image for the city. It said:

"The principal purpose and the principal aims of the Chamber of Commerce of the New Orleans area are to promote the economy and growth of the area through area development, trade development and the cultivation of a favorable business climate."

■

IT CONTINUED: "These incidents in New Orleans were associated with school integration and announcements have been made that additional ones are scheduled to be integrated in the coming September."

"Now, therefore, be it resolved, that we ask the assistance and support of all citizens in the maintenance of law and order and in the avoidance of all situations and incidents that could be magnified and publicized in a manner that would create an unfavorable image of our city and our state."

Mothers Fear School Action

New Orleans Is Worried As Integration Of Classes Nears

By United Press International

NEW ORLEANS, Sept. 4. — Presidents of mothers' clubs at four New Orleans schools set for integration Thursday have expressed mixed reaction to the court-ordered move and all reflected fear.

Their fears included: Possible violence, recriminations from other citizens and safety of their children after school.

Mrs. Roy LeBlanc, whose son and two daughters will switch to a parochial school this fall, was president of the mothers' club at McDonogh 11 Elementary School last year.

Other People Accuse You

"I fear the violence," she said. "They'll be safe enough in school, but I'm worried for them after school."

"I personally am willing to accept integration, but it is what the other people accuse you of," she said.

Mrs. LeBlanc said she knew of several families who moved from her neighborhood and that "mothers got frightened and just want to get away from it."

She felt violence would accompany integration because "we've always been raised to believe in segregation."

Mrs. James M. Columb Jr., former president of the Robert M. Lusher School mothers' club, declined to comment on the situation in the predominantly upper income section in the Tulane University area.

She said she was disassociated from the school and that her child graduated from Lusher last June.

Mrs. E. C. LaGasse, president of the mothers' club at Andrew H. Wilson Elementary School, took a similar stand.

"We're not too happy with any type of publicity," she said, "and I'd rather not make a statement, because it is not a safe thing to do."

Mrs. LaGasse did say she favored keeping Wilson Elementary open. She said the mothers' club preferred to work toward its ends quietly among parents.

Mrs. William C. Gray said white parents at Judah P. Benjamin decided to have a "definite representation" when schools opened this Thursday.

Invitations To All

"We plan to take the children and leave them," she said. "We are not expecting any trouble because we have been assured of police protection and we expect things to go smoothly."

Mrs. Gray, from Oklahoma, said her group's official view is that people should send their children to school where they want.

Dallas Chief Expects No School Trouble

DALLAS, Texas, Sept. 3. — (AP)—The nation's largest segregated school system will open some of its all-white schools to Negro students Wednesday and Dallas officials predict no difficulties will arise.

"I am entirely optimistic," Jesse Curry, chief of police, said. "Though we have taken necessary precautions, I anticipate no trouble whatsover."

Galveston, another Texas city 295 miles south, also will integrate its first grade and school-operated kindergartens for the first time with 28 Negro students. Dallas does not have kindergartens in its system.

The Dallas action follows six years of litigation after the Supreme Court's 1954 ruling that segregation is unconstitutional. This year the school board did not appeal the case further.

An estimated 3,100 Negro and 10,800 white first graders will enter the 124 Dallas elementary schools this year.

Civic groups and the police have made widespread efforts aimed at a smooth transition to an integrated system.

The Dallas Citizens Council, made up of 250 heads of major companies and not connected with white citizens councils, has emphasized that violence is criminal and integration is the law and must be obeyed.

Leaders Urge Peaceful Action

New Orleans Now Realistic In Desegregation Attitude

By James E. Clayton

NEW ORLEANS, Sept. 10—A year ago, the turmoil over school desegregation here gave Louisiana the appearance of a 1960 Wonderland. It led a group of 95 Tulane University students to write, "The public affairs of this State have taken on . . . an aura of unreality which, by comparison, makes Alice in Wonderland appear (to be) stark realism."

This year, New Orleans and Louisiana no longer give the impression of Wonderland. Its leaders and its people are facing reality. They are, for the first time, admitting that public schools will be desegregated and they are, for the first time, accepting desegregation quietly.

There are many reasons for the difference between the quiet of New Orleans this year and the jeering crowd of women who taunted both Negro and white students a year ago, but one stands out above all others.

That is the fact that state and city political leaders this year have either remained quiet or urged peaceful acceptance of desegregation.

School Board President Louis G. Riecke said, "I don't think there is any question why the difference. The Governor and the Legislature at this time last year were assuring the people there was no need to integrate the schools. I don't question the sincerity of the Governor and the Legislature. They really believed it. Because of that, the people thought they didn't have to integrate . . .

"I think the people of New Orleans now realize that everything has been done that can be done to keep the schools segregated. As law abiding citizens, they want to obey the law."

Riecke could have cited, but did not, the conduct of one school board member—Emile Wagner Jr. A year ago, Wagner was saying that the board could retain segregation if only it would try. This year, he is saying desegregation is inevitable and is urging parents to turn to private schools to save segregation.

Why has the conduct of public officials changed?

One reason, mentioned by Riecke, is that the state had to go through last year's disturbances before officials and citizens alike faced the reality of desegregation. Previously, all had been willing to think that Louisiana could deny the Supreme Court's desegregation order successfully.

Another reason is that the business community has changed its tune. The Louisiana Advisory Committee to the Civil Rights Commission says, "Business is taking a beating."

One New Orleans department store had a 50 per cent drop in sales in November, 1960, the month of the most violent troubles. In general, business has come out of the recession more slowly in New Orleans than in other Southern cities. Even cab drivers believe that their business is off because tourists were scared away last year.

All this has raised the question of the "image" New Orleans now has in the eyes of the world. Businessmen and newspapers have stressed this argument in calling for peace this fall.

The most interesting reason of all, however, is one which no one will talk about. Louisiana officials have been negotiating with Federal officials since last spring over how the income from tidelands oil is to be divided.

Currently there is $400 million in an escrow fund which the State and the Federal Government will split. The worth of offshore oil in Louisiana is unknown but runs into billions of dollars.

No one in either Baton Rouge or Washington will admit that there is a tie between tidelands oil and desegregation. But it is obvious that Louisiana's top officials would be uncomfortable, to say the least, if they were negotiating for a favorable division of the money with one hand and fighting the same Federal officials on desegregation with the other.

The tipoff to the calm which public officials displayed this year came Wednesday when the state's top segregation leaders met with Governor Jimmy Davis in Baton Rouge.

Leander Perez, the most militant of all, demanded a special session of the Legislature like those which helped stir up trouble a year ago. His idea was rejected and he stormed out of the meeting.

The next day the group met again. Perez did not attend, Davis said later that the group talked about ways of transferring students from one public school to another and of providing financial aid to those who want to go to private schools.

La. Officials Given Notice of U.S. Action on Schools

Marshal Serves Jackson, Tugwell, Theriot

BATON ROUGE (AP)—A deputy federal marshal Friday served three top Louisiana officials with notices of the U.S. attorney's move to block St. Bernard Parish from accepting white students who boycott desegregated New Orleans schools.

The deputy from New Orleans, who did not give his name, served personally state Supt. Shelby M. Jackson and state Treasurer A. P. Tugwell.

'FURTHER EVIDENCE'

He said the office of state Comptroller Roy Theriot accepted service for Theriot.

Jackson later asserted, "The serving of these documents is further evidence of the determined effort of certain federal authorities to take over public education in Louisiana and the South. . ."

The deputy marshal also sought out William J. Dodd, Baton Rouge member of the 11-member state Board of Education, while other federal deputy marshals elsewhere in the state, he said, sought other board members who are all named in the federal motion.

The St. Bernard Parish School Board members and Supt. Joseph Davies of St. Bernard, who also is a state board member, also will be served, the deputy marshal said.

HEARING NOT SET

Last week U.S. Atty. M. Hepburn Many in New Orleans filed a motion asking for a federal court restraining order to prevent racial discrimination in St. Bernard schools while the parish accepted students from desegregated New Orleans schools.

The motion also asked an injunction against the three state officials and the State Education Board, preventing them from withholding state funds from desegregated New Orleans schools and giving the money to St. Bernard.

No federal court hearing has been set on the requested motion.

One key provision of the 1961 general appropriations bill, passed by the Legislature, authorized the withholding of state funds from schools losing more than 75 per cent enrollment, as occurred in two desegregated schools in New Orleans last year, while increasing state funds for schools gaining more than 25 per cent.

After accepting service, Jackson said "the schools belong to the people. They must at all times be kept in the hands of the people. It is necessary that the people speak and see to it that their congressmen put a stop to the destruction of our school system."

Federal encroachment, Jackson said, would "deny to the children of Louisiana the right of choice and association . . . ."

"By the public school system being operated under federal control," Jackson said, "it will ultimately result in the regimentation of our youth which will destroy individualism, initiative and all that we stand for in the American way of life."

14d(1) 1961

OCTOBER

LOUISIANA

High Court Again Voids Louisiana School Bias Laws

Louisiana School Law Is Blocked

The Philadelphia

WASHINGTON, Oct. 16 (AP) — The Supreme Court for the sixth time in nearly two years knocked down on Monday attempts by Louisiana to block racial integration of its public

The decision let stand a lower court ruling which declared unconstitutional two laws that permit criminal prosecution by the State of people who help or encourage the sending of children to integrated schools.

The high tribunal acted without hearing arguments. It merely issued a one-sentence unsigned ruling—apparently unanimous—upholding a decision handed down by a special three-judge Federal court in New Orleans

Philadelphia Inquirer

This was the second opinion day of the court's new term and the string of orders issued dealt with cases primarily of local interest.

In the Louisiana case, the court rejected a contention by Attorney General Jack P. F. Gremillion of Louisiana that the Federal Government had no business getting into the argument over the constitutionality of the two laws. Gremillion said the issues involved were strictly between citizens of Louisiana and the State.

The May 4 decision struck at a series of laws passed by the Louisiana Legislature in an attempt to block school integration in New Orleans. That decision said all such State statutes are unconstitutional, particularly two acts passed by an extraordinary session of the Legislature this year.

Both laws grant immunity from prosecution and promise a monetary reward to informers. The special court said these were "invidious weapons of a State administration dedicated to scuttling the modest program of desegregation which has been initiated in Orleans Parish."

It added that the Legislature clearly wanted parents, teachers and others to understand that they would be punished if they had any contact with an integrated school.

Earlier the Supreme Court upheld rulings knocking down acts of the Louisiana Legislature to withhold funds and supplies from desegregated schools, to deny credits to students attending desegregated classes and to revoke credentials of teachers who instruct desegregated classes.

Among other decisions Monday the court upheld the 1944 Veterans Preference Act which gives those who serve in the armed forces jobs rights over non-veterans in government service.

The court refused to review a decision by the 6th Circuit Court of Appeals in Cincinnati upholding the law. The suit had been brought by six civilians at Wright-Patterson Air Force Base in Ohio who lost out to veterans during a 1957 reduction in force.

The civilians were either downgraded or lost their jobs, while veterans were retained.

News & Courier

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Charleston S.C. 10-17-61

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In the Louisiana case, the court rejected a contention by Atty. Gen. Jack P. F. Gremillion of Louisiana that the federal government had no business getting into the argument over the constitutionality of the two laws. Gremillion said the issues involved were strictly between citizens of Louisiana and the state.

The May 4 decision struck at a series of laws passed by the Louisiana Legislature in an attempt to block school integration in New Orleans. That decision said all such state statutes are unconstitutional, particularly two acts passed by an extraordinary session of the legislature this year. Charleston S.C.

One law is entitled: "Bribery of parents of school children." It would punish anyone who gives or any parent who accepts "anything of apparent or prospective value" as an inducement for sending a child to an integrated school.

The other law is entitled: "Intimidation and interference in the operation of the schools." It condemns what the court calls strange language—"the offering to do or doing any act" to a child or parent, teacher or other school employe who may influence that person "to do or perform any act of violation of any law of this state."

Both laws grant immunity from prosecution and promise a monetary reward to informers.

The special court said these were "invidious weapons of a state administration dedicated to scuttling the modest program of desegregation which has been initiated in Orleans Parish."

It added that the legislature clearly wanted parents, teachers and others to understand that they would be punished if they had any contact with an integrated school.

Earlier, the Supreme Court upheld rulings knocking down acts of the Louisiana Legislature to withhold funds and supplies from desegregated schools, to deny credits to students attending desegregated classes and to revoke credentials of teachers who instruct desegrated classes.

Among other decisions, Monday the court upheld the 1944 Veterans Preference Act which gives those who serve in the armed forces jobs rights over nonveterans in government service.

The court refused to review a decision by the 6th Circuit Court of Appeals in Cincinnati Ohio, upholding the law. The suit had been brought by six civilians at Wright-Patterson Air Force Base in Ohio who lost out to veterans during a 1957 reduction in force.

The civilians were either downgraded or lost their jobs, while veterans were retained.

LOUISIANA CURBS ON NEGROES UPSET

The New York Times
1,24L Tues. 10-17-61

High Court Affirms Voiding of Laws by Lower Bench

New York, N.Y.

WASHINGTON, Oct. 16 (AP)—The Supreme Court for the sixth time in nearly two years today knocked down, in effect, attempts by Louisiana to block racial integration of its public schools.

It did this by letting stand a lower court ruling that declared unconstitutional two laws that permit criminal prosecution by the state of persons who help or encourage the sending of children to integrated schools.

The high tribunal acted without hearing arguments. It merely issued a one-sentence unsigned ruling — apparently unanimous — upholding a decision handed down by a special three-judge Federal court in New Orleans last May 4.

This was the second opinion day of the court's new term. The string of orders issued dealt with cases primarily of local interest.

Louisiana's New Rejected

In the Louisiana case, the court rejected a contention by Attorney General Jack P. F. Gremillion of Louisiana that the Federal Government had no business getting into the argument over the constitutionality of the two laws. Mr. Gremillion said the issues involved were strictly between citizens of Louisiana and the state.

The decision on May 4 struck at a series of laws passed by the Louisiana Legislature in an attempt to block school integration in New Orlean. That decision said that all such state statutes were unconstitutional, particularly two acts passed by an evtraordinary session of the Legislature this year.

One law is entitled "Bribery of Parents of School Children." It would punish anyone who accepted "anything of apparent or prospective value" as an inducement for sending a child to an integrated school.

The other law is entitled "Intimidation and Interference in the Operation of the Schools." It condemns what the court calls strange language—"the offering to do or doing any act" to a child or parent, teacher or other school employe that might influence that person "to do or perform any act in violation of any law of this state."

Both Grant Immunity

Both laws grant immunity from prosecution and promise a monetary reward to informers.

The special court said that these were "invidious weapons of a state administration dedicated to scuttling the modest program of desegregation which has been initiated in Orleans Parish."

It further said that the Legislature clearly wanted parents, teachers and others to understand that they would be punished if they had any contact with an integrated school.

Earlier, the Supreme Court had upheld rulings knocking down acts of the Louisiana Legislature to withhold funds and supplies from desegregated schools, to deny credits to students attending desegregated classes and to revoke credentials of teachers who instruct desegregated classes.

Among other decisions today, the court upheld the Veterans Preference Act of 1944. This gives those who have served in the armed forces job rights over nonveterans in Government service.

The court refused to review a decision by the Court of Appeals for the Sixth Circuit in Cincinnati upholding the law. The suit had been brought by six civilians at Wright-Patterson Air Force Base in Ohio, who lost out to veterans during a reduction in force in 1957.

The civilians were either downgraded or lost their jobs, while veterans were retained.

Supreme Court's Actions

The New York Times
1,24L Tues. 10-17-61

SPECIAL TO THE NEW YORK TIMES

WASHINGTON, Oct. 16—The Supreme Court took the following actions today:

CONSTITUTIONAL LAW

Dismissed an argument that New York State had violated the obligation of a contract when, by statute, it withdrew from an undertaking to pay Federal taxes for New York race tracks; one justice would have heard oral argument (No. 299, Roosevelt Raceway v. Monaghan).

CRIMINAL LAW

Agreed with the Solicitor General, who confessed error on the Government's part, that a District Court could not impose separate, consecutive sentences for the transportation of several forged securities when all the securities were carried together in a single interstate transportation (No. 60 Misc., Castle v. U. S.).

At the suggestion of the Solicitor General, vacated a lower-court order compelling a man to testify in the Tax Court, the Government recently changed its mind and decided that the testimony might incriminate the witness (No. 281 Misc., Goodman v. U. S.).

Declined to review a 4-to-3 habeas-corpus decision of the Fifth Circuit directing the release of a Texas prisoner halfway through an eight-year sentence for a $250 theft, on the ground that he had not had adequate time to prepare his case before trial (No. 250, Ellis v. MacKenna).

Declined to review an Eighth Circuit habeas-corpus decision holding the conviction of an Arkansas Negro unconstitutional because of discrimination in selection of the jury panel (No. 273, Henslee v. Bailey).

JURISDICTION AND PROCEDURE

Agreed to review a District judge's ruling that in a suit for an injunction and damages, the case was "purely equitable" in nature and so should not be tried by jury No. 244, Dairy Queen v. Wood).

MARITIME LAW

Agreed to decide whether a District Court properly directed a stevedore-contractor to indemnify a shipowner for damages awarded by a jury to a longshoreman, in a suit against the shipowner, because of the stevedore's negligence (No. 282, Atlantic & Gulf Stevedores v. Ellerman Lines).

RACE RELATIONS

Unanimously and summarily affirmed a three-judge District Court's decision upholding the right of the Justice Department, as a friend of the court, to move for an injunction in a pending school case, and holding unconstitutional a Louisiana statute making it a crime to induce anyone to attend a desegregated school (No. 200, Gremillion v. U. S.).

Federal Court Strikes Down Louisiana School-Closing Law

NEW ORLEANS, Aug. 30 (AP). A three-judge federal court today struck down Louisiana's school-closing law—which permitted school districts to vote in favor of abandonment of public schools faced with desegregation orders.

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the school closing law, but did not rule the grants illegal.

"This is not the moment in history for a state to experiment with ignorance," said the opinion by Judge John Minor Wisdom of the U.S. 5th Circuit Court of Appeals and U.S. District Judges J. Skelly Wright and Herbert W. Christenberry.

"When it does, it must expect close scrutiny of the experiment."

The court ruled that the local option act of a special 1961 session of the Louisiana Legislature, violated the equal protection clause of the 14th Amendment on two counts.

Nine Negroes Enter Atlanta White Schools ..... Page 26

1. "It is a transparent artifice to deprive the (Negro) plainiffs of their constitutional right to attend desegregated public schools," and

2. Since the state provides public schools in other parishes (counties), closing the schools in St. Helena would discriminate against the children in that parish, regardless of race.

The action was filed by Negro residents of St. Helena, a tiny, rural parish located some 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwelmingly voted to close schools rather than to submit to desegregration. Judge Wright had earlier ordered desegregation but set no deadline. Meanwhile, the parish schools have already opened for the fall term on a segregated basis.

The judges, in a rare move, had asked the attorneys general of 50 states to submit "friend of the court" briefs in the case on outlining their view in the case, including the duties of a state to establish and maintain public education.

However, today's opinion did not touch on the due process clause or the maintenance of public school systems by a state.

The court said it scrutinized the provisions of the local option act in connection with other segregation measures passed by the state legislature—especially the grant-in-aid law. That law would give money to children to attend private, non-integrated schools when public schools are ordered desegregated.

The whole segregation program is constitutionally self-defeating, the court said, since it involves "such extensive state control, financial aid, and active participation that in operating the program the state would still be providing public education."

"The state might not be doing business at the old stand, but the state would be participating as the senior, and not silent, partner in the same sort of business. Continuance of segregation at the state's public-private school therefore, would be a violation of the equal protection clause."

The judges pointed out that without active state support of private schools in St. Helena—which now receives 97.1 per cent of its operating revenue from the state—would mean the end of public school education for all children in the parish, white or Negro, except for a handful of well-to-do white children.

"To speak of this law as operating equally is to equate equal protection with the equality Anatole France spoke of: 'The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread.'"

60 Marshals Ordered to New Orleans

Associated Press

Sixty U. S. marshals have been ordered to New Orleans on standby duty for the opening of public schools next week, the Justice Department said yesterday.

A spokesman said the marshals were requested by the Federal District Court in New Orleans.

The 60 men are in a group now completing their annual two-week training period in South Caroilna. They will finish the training the week, and then be assigned to Camp Le Roy Johnson, a naval base or Lake Pontchartrain.

The Justice Departmer spokesman emphasized tha the marshals were being sen to New Orleans only because the Court requested it. He said the Court specified no particular number, and the 60 are being sent because they were already gathered together in one group.

The spokesman said the marshals would remain in the New Orleans area as long as necessary.

MARSHALS TO GO TO NEW ORLEANS

Court Asks Stand-By Force for Opening of School

WASHINGTON. Aug. 31 (AP)—Sixty United States marshals have been ordered to New Orleans on stand-by duty for the opening of public schools next week, the Justice Department said today.

A spokesman said the marshals had been requested by the Federal District Court in New Orleans.

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The Justice Department spokesman emphasized that the marshals were being sent to New Orleans only because of the court request. He said that the court had specified no number and that the sixty there being sent because they were already in one group.

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Louisianans Determined

Special to The New York Times.

NEW ORLEANS, Aug. 31 — Segregation leaders contend that the three-judge decision striking down the state's school-closing law will not stop Louisiana from carrying out its private school plan. But the decision will mean a revision in grants-in-aid, they said.

The Federal court held yesterday in the St. Helena Parish (County) school case that the local option law violated the equal protection clause of the 14th Amendment to the United States Constitution. It issued an injunction barring St. Helena from closing its schools.

Voters in St. Helena voted April 22 in favor of closing the public schools under the local option law rather than submitting to even token integration as ordered by the Federal court.

Frank Voelker Jr., chairman of the State Sovereignty Commission, said that grants-in-aid apparently were legal as long as public schools were not closed.

"They are not closed in Louisiana, and the state is making no effort to close them," he said. "I do feel, however, our present grants-in-aid program needs considerable revision."

Strikes at Opinion

The state has set up the machinery to provide students who do not wish to attend integrated schools tuition grants to permit them to attend private schools.

Mr. Voelker said that "the ruling does not affect our plans one way or another."

But he struck out at the court's opinion that "this is not the time in history for a state to experiment with ignorance."

"The court's description of our efforts to guarantee our children of all races freedom of choice as an experience with ignorance is inaccurate, misleading and highly irritating," he said.

"Louisiana public schools were distinguished by progress until the fall of 1960. That was when to New Orleans schools were ordered integrated. Since then we have experienced steady interference from the Federal courts. If our system should suffer, it is their doings, not ours."

State Senator E. W. Gravolet Jr. of Pointe a la Hache, a state administration supporter and dedicated segregationist, complained that "the Federal courts are determined to impose on Louisiana a new social experiment."

Mr. Gravolet, vice chairman of the Joint (legislative) Committee on Segregation, called for an immediate state-wide program of grants-in-aid administered by a state commission separate from the regular public education organization.

Public Education Backed

"I for one believe in the maintenance of public education in every parish in the state of Louisiana," he said. "In addition to that, I believe in the full freedom-of-association principle.

"A worthwhile, state-wide grants-in-aid program should be immediately instituted through a separate agency such as a grant-in-aid commission which would have nothing to do with public education.

"The maintenance of public schools in the state is based upon the appropriation of money by the state Legislature and of course the local school boards.

"It may be necessary to appropriate all future money for public eduçation on a parish-by-parish basis in order to decrease the amount of money needed in certain parishes for public education where the students of that parish do not attend public schools," Mr. Gravolet said.

J. L. Meadows, superintendent of St. Helena schools, said he still believed the voters should determine whether a parish keeps public schools.

"I think if the majority of the people in a parish or state vote on an issue, it is the will of the people, and the people should speak," he said.

The ccourt decision held that the law was a "transparent artifice" to deprive the Negro of his constitutional right to attend desegregated public schools, and it is discriminatory against the children of the parish regardless of race in that it denies them a public education while it is furnished in other sections of the state."

Court Voids La. School Closing Law

NEW ORLEANS, Aug. 30 (AP)—A three-judge Federal Court today struck down Louisiana's School Closing Law—which permitted school districts to vote in favor of abandonment of public schools faced with desegregation orders.

The court, in its ruling, also tied in Louisiana's grant-in-aid program to the School Closing Law, but did not rule the grants illegal.

"This is not the moment in history for a state to experiment with ignorance," said the opinion by Judge John Minor Wisdom of the U. S. Fifth Circuit Court of Appeals and U. S. District Judges J. Skelly Wright and Herbert W. Christenberry.

Atlanta scraps century-old tradition in quiet as nine Negroes enter previously all-white high schools. Page A2.

"When it does, it must expect close scrutiny of the experiment."

The Court ruled that the "Local Option" Law (Act 2 of a special 1961 session of the Louisiana Legislature), violated the equal protection clause of the 14th Amendment on two counts:

1. "It is a transparent artifice to deprive the (Negro) plaintiffs of their constitutional right to attend desegregated public schools," and

2. Since the state provides public schools in other parishes (counties), closing the schools in St. Helena would discriminate against the children in that parish, regardless of race.

The action was filed by Negro residents of St. Helena, a tiny, rural parish located some 60 miles north of New Orleans.

The parish voters, in a special referendum last April, overwhelmingly voted to close schools rather than to submit to desegregation. Judge Wright had earlier ordered desegregation but set no deadline. Meanwhile, the parish schools have already opened for the fall term on a segregated basis.

Only Poor Whites Anti Integration

NEW ORLEANS (ANP)—Only poor whites are those in New Orleans who are really protesting the integration of schools and staying away from those schools integrated on a token basis, according to a leader in the Crescent City. Frantz and McDonogh 19 schools are located in that portion of the city where the lower bracket of whites live. This is especially true in the McDonogh 19 section.

The whites who live in these areas are mostly those who have come into the city from the adjoining parish (county). They have come to New Orleans seeking work, low rent and aid on city welfare. They have lived under a "hate-the-Negro" program and feel that the Negro has been their chief economic opponent.

■

IN THE UPPER portion of the city where the middle and upper class whites live, there has been little opposition and less "stay-at-home" policy.

Speaking about the Catholic schools not being integrated even on a token basis, a non-Catholic said that this was a scheme on the part of the Catholic church in this area to build up attendance by whites in the Catholic schools.

Louisiana Loses Again In Race Issue

Supreme Court Ruling Sixth Against State

Washington, Oct. 16 (AP)—The Supreme Court for the sixth time in nearly two years Monday knocked down attempts by Louisiana to block racial integration of its public schools.

The decision let stand a lower-court ruling which declared unconstitutional two laws that permit criminal prosecution by the State of people who help or encourage the sending of children to integrated schools.

The high tribunal acted without hearing arguments. It merely issued a one-sentence unsigned ruling — apparently unanimous — upholding a decision handed down by a special three-judge Federal Court in New Orleans May 4.

Contention Rejected

The court rejected a contention by Attorney General Jack P. F. Gremillion of Louisiana that the Federal Government had no business getting into the argument over the constitutionality of the two laws. Gremillion said the issues involved were strictly between citizens of Louisiana and the State.

The May 4 decision struck at a series of laws passed by the Louisiana Legislature in an attempt to block school integration in New Orleans. That decision said all such State statutes are unconstitutional.

Preference Act Upheld

Among other decisions Monday the court upheld the 1944 Veterans Preference Act, which gives those who serve in the armed forces jobs rights over nonveterans in Government service.

The court refused to review a decision by the Sixth Circuit Court of Appeals in Cincinnati upholding the law. The suit had been brought by six civilians at Wright-Patterson Air Force Base in Ohio who lost out to veterans during a 1957 reduction in force.

The civilians were either downgraded or lost their jobs, while veterans were retained.

High Court Upholds Mixing in Louisiana

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The decision let stand a lower court ruling which declared unconstitutional two laws that permit sending of children to integrated schools.

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Title of Law

One law is entitled "Bribery of Parents of School Children." It would punish anyone who gives or any parent who accepts "anything of apparent or prospective value" as an inducement for sending a child to an integrated school.

The other law is entitled "Intimidation and Interference in the Operation of the Schools." It condemns what the court calls strange language—"the offering to do or doing any act" to a child or parent, teacher or other school employe which may influence that person "to do or perform any act of violence of any law of this state."

Both laws grant immunity from prosecution and promise a monetary reward to informers.

'Insidious Weapons'

The special court said these were "insidious weapons of a state administration dedicated to scuttling the modest program of desegregation which has been initiated in Orleans Parish."

It added that the legislature clearly wanted parents, teachers and others to understand that they would be punished if they had any contact with an integrated school.

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U.S. Sues Louisiana To Free Pupil Fund

The Atlanta Constitution
Atlanta, Ga.

WASHINGTON (AP) — The Justice department Thursday filed a civil contempt action designed to compel the state of Louisiana to release certain school funds to the Orleans Parish School Board. The money has been withheld in the school desegregation controversy there.

The action, brought in U.S. District Court at New Orleans by Attorney M. Hepburn Many, is directed against Shelby M. Jackson, the state superintendent of public education.

The Justice department asked that Jackson be required to turn over to the county school board funds withheld since last November. He also asked that he be made to recognize the credentials and qualifications of teachers employed by the school board since Nov. 14 — when two New Orleans schools were desegregated under a federal court order.

Officials at the Justice department said the action is designed to have Jackson held in contempt unless he releases the funds and recognizes the teachers' credentials.

It marked the first court action of the present administration in the New Orleans school situation, which has been marked by demonstrations and a white boycott of the desegregated schools.

COURT UNDESIRABLE

Attorney General Robert F. Kennedy, who announced the contempt action, said in a statement: "It would be most desirable if this difficult problem could be solved without the United States resorting to court proceedings, such as contempt actions, to protect the Orleans County School Board and secure compliance with the court's orders.

"That is what we have tried to do. This action has been contemplated for some time, but Mr. Many had hope that it would not be necessary. However, the vote today of the Louisiana House of Representatives demonstrates that court action of this nature continues to be needed."

Kennedy said he referred to a resolution passed by the Louisiana House refusing to provide funds for payments of teachers salaries in New Orleans — due Friday — "by the duly elected Orleans Pairsh School Board."

APPEAL TO HELP

The court action was announced after the New Orleans board had appealed to President Kennedy for help.

President Louis G. Riecke of the Orleans Parish School Board sent a telegram to the President, urging that he use his influence "to alleviate the situation."

The board announced that paychecks for teachers, principals and other school personnel due Friday would not be distributed.

U. S. Sues to Free Funds For New Orleans Schools

The N. Y. Times
New York, N. Y.
Feb. 17-61

Court Move Seeks to Release $350,000 in Federal Aid That Louisiana Has Withheld During Racial Fight

By The Asso

WASHINGTON, Feb. 16—The Justice Department filed a civil contempt action today to compel the State of Louisiana to release certain Federal school funds to the New Orleans Parish (county) school board. The money has been withheld in the school-desegregation controversy there.

The action was brought in the Federal District Court at New Orleans by United States Attorney M. Hepburn Many. It was directed against Shelby M. Jackson, Superintendent of Public Education in Louisiana.

The Justice Department asked that Mr. Jackson be required to turn over to the parish school board about $350,000 that has been withheld since last September.

It also asked that Mr. Jackson be ordered to recognize the credentials and qualifications of teachers hired by the school board since Nov. 14, when two New Orleans schools were desegregated under a Federal court order.

Officials at the Justice Department said the action was designed to have Mr. Jackson held in contempt unless he released the funds and recognized the teachers' credentials.

It was the first court action of the present Administration in the New Orleans school situation, which has been marked by demonstrations and a white boycott of the desegregated schools —William Frantz and McDonough No. 19.

Attorney General Robert F. Kennedy, who announced the contempt action, said in a statement:

"It would be most desirable if this difficult problem could be solved without the United States resorting to court proceedings, such as contempt actions, to protect the Orleans County school board and secure compliance with the court's orders.

"That is what we have tried to do. This action has been contemplated for some time, but Mr. Meany had hope that it would not be necessary. However, the vote today of the Louisiana House of Representatives demonstrates that court action of this nature continues to be needed."

Barred Release of Funds

Mr. Kennedy said he referred to a resolution adopted by the Louisiana House that refused to provide funds to pay teachers' salaries in New Orleans—due tomorrow—"by the duly elected Orleans Parish school board."

The court action was announced after the New Orleans school board appealed to President Kennedy for help.

Louis G. Riecke, president of the school board, sent a telegram to the President, urging that Mr. Kennedy use his influence "to alleviate the situation."

The board announced that paychecks for teachers, principals and other school personnel due tomorrow would not be distributed.

Salaries Not Affected

The Federal Government's contempt action will not affect the salary situation. The $350,000, described as withheld by the state, includes some $311,000 in school lunch funds and $27,000 in reimbursement funds for the school milk program, both federally supported, and special vocational funds amounting to $9,000. The Federal Government does not contribute to teachers' salaries.

The Government's suit also asked that Mr. Jackson be required to fill a requisition for textbooks that has been submitted by the parish school board.

Mr. Riecke also sent telegrams to members of Congress from Louisiana, asking help in meeting the teacher payroll.

He said the board needed $1,400,000 in additional cash by noon tomorrow, and that other obligations amounting to $246,000 would be due by Feb. 28.

He said that without the salary funds it mikht be necessary to close all the New Orleans public schools.

U.S. Files Action In New Orleans

The Commercial
Feb. 17-61

Seeks To Force Release Of Orleans Parish School Funds

WASHINGTON, Feb. 16. — (AP)—The Justice Department Thursday filed a civil contempt action designed to compel the state of Louisiana to release certain school funds to the Orleans Parish School Board. The money has been withheld in the sesool desegregation controversy there.

Memphis Press-Scimitar

The action brought in the Federal District Court at New Orleans by United States Atty. M. Hepburn Many, was directed against Shelby M. Jackson, the state superintendent of public education.

Feb 17-61

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Officials at the Justice Department said the action is designed to have Mr. Jackson held in contempt unless he releases the funds and recognizes the teachers' credentials.

It marked the first court action of the present Administration in the New Orleans school situation, which has been marked by demonstration and a white boycott of the desegregated schools.

School Employes Face Payless Pay Day

NEW ORLEANS, Feb. 16.—(UPI) — The Orleans Parish school board announced Thursday that teachers and school employes will not get their paychecks due Friday.

The school board, blaming actions of the Legislature on its lack of finances, needed 1.4 million dollars in additional funds to meet the $1,850,000 payroll Friday.

Teachers, principals and school clerks were those hurt by the announcement. Additional information will be available on the board's financial status next week, the announcement said.

Board president Louis Riecke appealed to President Kennedy to use his influence to help the board overcome a "critical financial situation" that could force closing of all public schools.

He wired President Kennedy that "state legislative action as a result of Federal desegregation orders has tied up our funds and effectively impaired our borrowing capacity to such an extent that unless we are able to meet payrolls, we may have to close all public schools."

Mr. Riecke added that this would add more than 5,500 persons to unemployment rolls as well as affect the education of 90,000 children.

U. S. Cracks Whip In La. School Case

The Afro-American
Baltimore, Md.
Sat. 2-25-61 A3

Asks court to free funds due schools

WASHINGTON

The Federal Government cracked the whip in the New Orleans school integration fight, Thursday, filing a civil contempt action to force the the State of Louisiana to release funds withheld in the controversy.

Though announced in Washington, the action was brought in Federal District Court at New Orleans by United States Attorney M. Hepburn Many.

If successful, it may prove to be a forerunner of similar Federal action which could be undertaken wherever segregationist states order funds withheld from school units which comply with court orders to desegregate.

* * *

THURSDAY'S JUSTICE Department action was directed against Shelby M. Jackson, Louisiana state superintendent of public education.

The Justice Department asked that Mr. Jackson be compelled to turn over to the Orleans Parish School Board about $350,000 that has been withheld since last September.

It also asked that Mr. Jackson be ordered to recognize the credentials and qualifications of teachers hired by the school board since Nov. 14, Frantz and McDonough 19 schools were desegregated by court order.

* * *

THE ACTION seeks to have Mr. Jackson declared in contempt unless he releases the funds and recognizes the teachers' credentials.

The step is the first court action by the present administration in the New Orleans school situation, where a white boycott of the two desegregated schools has been in effect since the admission of three colored first grade pupils.

Attorney General Robert F. Kennedy, who announced the contempt action, said there had been hope that the situation might be resolved without Federal resort to court action.

* * *

HOWEVER, THE Louisiana Legislature adopted a resolution Thursday that refused to provide funds to pay teachers salaries in New Orleans —which were due on Friday.

The court action was announced after the New Orleans School Board appealed to President Kennedy for help

The Federal Government's contempt action, however, will not directly affect payment of the teacher salaries since the funds described in the suit includes some $311,000 for school lunch funds and $27,000 in reimbursement funds for the school Milk program, both federally supported.

The Federal Government does not contribute to the payment of teachers' salaries.

Louis G. Reicke, president of the school board, who appealed to President Kennedy, also sent wires to members of Congress from Louisiana asking their aid.

He said the board needed $1,400,000 in additional cash by Wednesday afternoon and an additional $246,000 by Feb. 28.

Without the salary funds, he said, it might become necessary to close all of the New Orleans schools.

* * *

ELSEWHERE, in Richmond, Va., United States Judge Oren R. Lewis last week set April 11 for a hearing on a request to file an amended supplement complaint in the Prince Edward County School case.

The NAACP has asked Judge Lewis for permission to file the complaint which challenges the use of public funds to support private schools for whites.

The complaint was submitted to the court on Jan. 13 but has not been accepted as part of the Prince Edward record.

Prince Edward schools were closed in 1959 after a Federal Court ordered the school board to drop its bars which prevented colored pupils from attending white schools.

Since then white children have been attending a private school sponsored by the Prince Edward School Foundation. No schools for colored pupils are being operated in the county.

STATE ATTY. GEN. Albertis S. Harrison Jr., and Collins Denny, attorney for the Prince Edward School Board, said they would oppose the filing of the amended NAACP complaint.

The amended complaint asks Judge Lewis to enter an order that would bar:

(1) The expenditure of public funds for the direct or indirect support of any private school which excludes pupils by reason of race.

(2) The expenditure of public funds to aid or reimburse persons for money paid as tuition to any private school that excludes pupils by reason of race.

(3) The award of a tax credit to any person who pays or contributes to any private school that excludes pupils by reason of race.

Fall Terms to See Fresh Try for School Integration

By Bicknell Eubanks
Staff Correspondent of The Christian Science Monitor

New Orleans

New Orleans will divide public attention this fall with two other major Southern cities when schools reopen. For this, civic leaders are grateful. Many feel that the Crescent City got an undue amount of unfavorable publicity when violence and turbulence marked the token desegregation of the Orleans Parish school system last year.

Businessmen don't like to talk about how much the turbulence affected the local economy. Many will admit, however, that retail sales were hurt.

But they insist that "things have picked up now." They hope that next winter's tourist season will mark a return to more nearly normal conditions, when millions of dollars pour into local cash registers.

Boycott Not Ruled Out

In the school system itself, preparations are under way for the new term. The schools will be operating under a new superintendent, O. Perry Walker, who was first assistant superintendent of the parish system for eight years. He succeeds Dr. James F. Redmond, who resigned following repeated attempts by the Louisiana Legislature to remove him during the bitter fight over desegregation.

Many legislators were aroused because Dr. Redmond executed the desegregation plan under orders of the Orleans Parish School Board and the federal courts. Some opposition was shown to Dr. Redmond also because he had come to New Orleans eight years ago from Chicago. One of the most common "epithets" applied to Dr. Redmond during the desegregation turbulence of the last school term was that he was a "Chicago outsider."

On the other hand, Mr. Walker is a native of New Orleans, a product of its public schools, and he holds degrees from Tulane University and Louisiana State University.

While there is no assurance that the white boycott of desegregated public schools will not be repeated this year, there is some faint optimism that the summer vacation may have given white parents time in which to reflect on the difficulties of transporting their children by bus to schools outside the parish.

The other major cities which will desegregate in September are Atlanta and Dallas—on opposite ends of the sprawling South. Each city has been carrying on an intensive campaign to prepare the public for acceptance of the court-ordered desegregation plans.

In Atlanta, local officials have been meeting with representatives of federal agencies concerned with civil rights. No details have been disclosed as to what took place at these conferences.

Clergy Taking Part

Atlanta clergymen are preparing to play an active role in providing moral leadership when the public schools are desegregated in the Georgia capital. Atlanta clergymen have received letters from the Organizations Assisting Schools in September (OASIS) urging them to take early vacations so that their "moral leadership will be on the scene" in September.

The OASIS has called on churches and other religious groups to prepare their congregations and memberships for a constructive influence in the time of crisis. Church organizations have issued appeals to members to be prepared to take a positive stand for good. Special appeals have been sent out by Methodist, Presbyterian, and Roman Catholic groups.

In Dallas, the powerful Dallas Citizens Council, which has no connection with the segregationist White Citizens Councils, has brought together business and professional groups, peace officers, school leaders, editors, and others in an effort to weld a strong nucleus around which desegregation can be carried out peacefully.

As in Atlanta, the Dallas operations will be carried out against the background of violence in Little Rock and New Orleans and the benefit of experience gained from the turbulence in the two cities.

Meanwhile, here in Louisiana, school officials still are puzzled by an unusually strong statement made several weeks ago by Gov. Jimmie H. Davis when he addressed the Louisiana Legislature in joint session. The Governor apparently sought to reassure Louisiana citizens that the state's school systems will not be abolished because of desegregation.

"The funds we have asked for education should reassure those who have doubts about the future of our public education," Governor Davis said. "Louisiana, perhaps more than any other state in the nation, has shown its high regard for education. For years our people have contributed great sums of money in its growth and improvement, and I do not believe they elected me Governor to oversee the destruction of this system."

Legislators Blamed

New Orleans citizens continue to blame legislators from upstate Louisiana for the Crescent City's troubles. Some say the legislators, being mostly from rural areas, sought to "embarrass" the big city. Others insist that the legislators have used the New Orleans situation to ingratiate themselves with their constituents, most of whom are strongly segregationist.

Aside from its desegregation problems, the Orleans school system is having some difficulties in hiring teachers. A teacher shortage resulted from the desegregation crisis. According to one official, recruitment of teachers for the public schools is down 30 per cent from other years.

In all private discussions of what next for the New Orleans schools, the name of Leander J. Perez, an attorney with powerful political prestige, continues to play a big part. Mr. Perez is conceded to have considerable influence in Baton Rouge, the state capital, although he himself has no state office.

New Orleans—

Peace reigning at mixed schools

BY DAVID ZINMAN

NEW ORLEANS, Oct. 7 —(AP)— New Orleans ended the first month of its second year of school integration today with peace reigning, a year-long boycott smashed and overall attendance rising at six desegregated schools.

Prospects are good that enrollment will continue incerasing at the six schools, Supt. O. Perry Walker said. Twelve Negroes have broken century-old segregation barriers.

Crowds picketed and teenagers rioted last year following integration here of two elementary schools—the first in Louisiana. This year calm prevailed when four more New Orleans schools were desegregated.

SCHOOL OFFICIALS saw these factors chiefly responsible for the changed atmosphere:

(1) A no-nonsense police plan in contrast to what some quarters charged were "timid and half-hearted measures" a year ago.

(2) Community realization that a fiery state Legislature lacked power to preserve segregation.

(3) Examples of quiet desegregation at Atlanta and Dallas.

(4) Publicizing names of integrated schools in advance so parents could make plans to send their children to private schools if they wished.

Still, bitterness remains among hard-CORE Segregationists here. Despite the outward acceptance of segregation, they feel no more disposed to acceptance.

Total white attendance has fallen off more than one-half at the integrated schools from pre-integration enrollment.

Nevertheless, the first month of school has seen attendance climb 20 per cent.

At McDonough No. 19 — where a white boycott began after three Negroes attended Nov. 14, 1960—10 white children are now enrolled. The boycott ended when school started last month.

MOST OF McDonough's 500 white children have transferred to segregated schools in adjoining St. Bernard Parish (county). New Orleans School Board President Louis Riecke Sr. thinks many may return, if a government suit to block the exodus is successful.

At William Frantz—where one Negro girl has been admitted — only an average of 12 white pupils of nearly 500 continued going last year.

This year white attendance swelled from 16 when school started to 66 at the close of the first month.

Two Frantz mothers wrote letters to other parents to persuade them to return their children. School Board Vice President Theodore Shepard said he expects Frantz attendance to rise to 100 this month and to 300 by the end of the year.

Two new integrated schools showed jumps in attendance the first month. In the other two newly desegregated schools, enrollment dropped slightly.

McDonough No. 11 increased from 175 the first day to 251 at the end of the first month, Robert Lusher from 206 to 257, while Andrew Wilson dropped from 256 to 352 and Judah Benjamin from 93 to 76.

At the close of Wednesday's classes, Frantz attendance totaled 72. When Frantz opened the fall term Sept. 7, with one Negro girl in the second grade, white pupils totaled 27.

At the other five previously all white public schools integrated by federal court order, attendance is off about 50 per cent in most cases.

At McDonogh No. 19, where four Negro girls attend school, only nine white pupils are in class in a school that accomodates 500.

Except for a brief period, McDonogh No. 19 was the target of a total boycott by white pupils last year.

New Orleans police reported today pickets have been absent from the schools for the past 10 days.

Deputy Supt. Alfred Theriot said the three women who picketed three of the schools at various times were not stopped by police as long as they demonstrated peacefully.

"They were told their constitutional rights to demonstrate peacefully would be protected," Theriot said, "and we did not interfere with them.

"But we also told them that if their activities endangered the public safety, they would have to stop," he added.

The city attorney, Theriot said, gave an opinion that it was a citizen's constitutional right to picket peacefully "and we'll guarantee and protect that right, so long as it does not endanger the public safety."

New Orleans White Pupils Trickling Back

NEW ORLEANS (AP) — The superintendent of Orleans Parish public schools released figures today indicating attendance at William Frantz school, where only a handful of white pupils went to classes last year, has almost tripled.

But this represents less than one-seventh of the Frantz attendance before it was integrated by federal court order in 1960.

E. Baton Rouge, St. Helena School Mixing Is Upheld

Six Trades Institutions Also Told, Desegregate

Desegregation orders directed at the public schools of East Baton Rouge and St. Helena parishes, as well as six Louisiana trades schools, were upheld Thursday by the United States fifth circuit court of appeals.

Federal district Judge J. Skelly Wright, during April and May, 1960, issued summary judgments enjoining the continuation of policies of segregation by the school boards of the two parishes and by the trades schools.

The judgments ordered desegregation "with all deliberate speed," but they set no specific date for its accomplishment.

The appeals court also upheld Judge Wright's dismissal of attempts by parents of white students to intervene in the Baton Rouge and St. Helena cases. Attorneys for the white parents contended that white students would be placed at a disadvantage by desegregation and might even suffer bodily harm.

CONCUR IN OPINIONS

Opinions in the two parish school board cases were written by Chief Judge Elbert Tuttle and concurred by circuit Judge Warren L. Jones and district Judge Sidney L. Mize of Gulfport, Miss.

In the St. Helena appeal, Judge Tuttle pointed out that the order entered by Judge Wright was substantially the same as the one in the New Orleans school desegregation case and which was affirmed by the fifth circuit.

Judge Tuttle called attention in the opinion to the contention by the St. Helena school board attorneys and the state attorney general that the appeals court should reconsider its holdings in two previous cases which were to the effect that an action to restrain a school board or board of supervisors of a state educational institution is not a suit against the state of Louisiana and thus forbidden by the Eleventh Amendment to the United States Constitution.

DECLINE REVERSALS

"We think that the decisions in these two cases were correct, and we decline the invitation to reverse them," Judge Tuttle wrote.

On another point, Judge Tuttle said that the court has repeatedly held that the adoption of a pupil placement law does not prevent the Negro students from seeking a declaratory judgment of their right to have an end to a parish or other local school policy of racially segregated schools.

With regard to a third point raised by the school board, that Judge Wright should not have issued a summary judgment because there were factual issues to be heard, the appeals court held: "We conclude that on the record thus made, the trial court properly found that there was no substantial issue of fact remaining for the trial, and the grant of summary judgment was authorized."

STRIKE DOWN ARGUMENTS

In the East Baton Rouge case Judge Tuttle held that most of the issues raised on appeal were settled in the St. Helena case and "there is no profit in belaboring them further."

In the trades schools cases the court struck down arguments by the attorney general that the state board of education, the defendant in the suits, as an agency of the state cannot be sued without the consent of the state.

As in the parish school board cases the court of appeals found no merit in the argument that there were issues of fact to be tried and so the granting of summary judgments was wrong.

LOCAL OPTION PROVISIONS HOLD STAGE

Solons In Louisiana Ready To Give People Final Voice In Mixing Fight

BATON ROUGE (AP)—The legislature, still firing away at Louisiana school integration, steps into its fifth special session at noon Wednesday ready to give the people the final voice in the fight.

Local option provisions to let the public in each school district vote whether to turn to private, segregated schools hold the center of the stage.

The legislative mood [illegible] skyrocketed at times to fiery defiance after public school integration marched into New Orleans Nov. 14, seems to have changed to a cooler, more contemplative level.

As one newspaper editorial put it, there seems to have been much "soul searching" in recent weeks to come up with something concrete.

The legislature at 12:11 a.m. Tuesday ended a 30-day standby session which took no action, took the day off for Mardi Gras, and speculated what Gov. Jimmie Davis meant in a still secret proposal to augment state funds.

MANY GUESSES

Lawmakers are guessing about everything from a local option sales tax raise, when the people in any parish vote to switch to private school cooperatives, to diverting money from an existing $60 million bond program set up originally for capital outlay.

East Baton Rouge and St. Helena parishes are the next desegregation centers, under current federal court lawsuits.

But the state hasn't found ways yet to finance previously authorized grants in aid offering students a choice.

Gov. Davis, State Supt. Shelby M. Jackson and key segregation leaders failed in the third special session to gain a $28 million sales tax raise to finance the state's newly aurhorized grants in aid.

The program was patterned after the system operating in Prince Edward County, Va.

Administration leaders insist the state can't simply dip into public funds to operate private cooperatives.

So far, only Davis and a few of his behind-the-scenes planners know what his new money proposals will involve. The governor doesn't like to tip his proposals in advance.

GRANTS-IN-AID MOVE ADVANCES

Local Option Bill Also Gains in House

By JAMES H. GILLIS and ROBERT WAGNER
(Times-Picayune Staff Correspondents)

BATON ROUGE, La. — Legislation to finance grants-in-aid for tuition in private schools and authorizing local option on the suspension of public education Thursday advanced through committee and second reading in the House of Representatives.

The bills will be up for third reading and final House passage when the House convenes at 10 a. m. Friday.

Since House passage of the measures sponsored by Gov. Jimmie H. Davis' administration is considered certain, they are expected to move on to first reading in the Senate when that body returns to work at 7 p. m. Friday. The Senate adjourned Wednesday until Friday night to await progress of legislation through the House.

(Louisiana House approves resolution directing school boards to provide for nine-month school terms. Story in Sec. 1, Page 16.

(New Orleans traffic court bill moves to action in House of Representatives Friday. Story in Sec. 2, Page 3.

(Legislative digest in Sec. 1, Page 14.

(Explanation is offered of local option school bill in Sec. 2, Page 4.)

$178,000 FOR SESSION

All told 11 of 13 House bills were reported favorably by committees and put through second reading in the House. One of these was the bill appropriating $178,000 to pay the expenses of the current 12-day special session, which began Wednesday as the fifth of a series of sessions called to deal with the school integration crisis. It was reported out by the appropriations committee.

The other 10 bills were reported out by judiciary B committee, which, like appropriations, is one of the House screening committees controlled by administration forces.

Two of the measures reported favorably by judiciary B committee pertain to the financing of the grants-in-aid program. One appropriates $2,500,000 for the purpose of the welfare fund surplus maintained out of a portion of sales tax revenues, but decides that the welfare fund surplus shall not fall below $3,000,000.

The other appropriates to the education expense grant fund an additional $200,000 monthly from sales tax revenues. As introduced the bill provided for a monthly appropriation of $250,000, but the bill was amended in committee to reduce the figure.

Mrs. Mary Evelyn Parker, state welfare director, and James Bolton, chairman of the state welfare board, along with Commissioner of Administration James S. Reily and budget officer Homer Russell held a conference Thursday afternoon with Gov. Davis on implications of the removal of a percentage of welfare funds for grants-in-aid.

UP FOR READING

In addition to 11 bills which cleared committees prior to Thursday's House session at an afternoon meeting, judiciary B also reported favorably another administration bill relative to disposal of school properties which was introduced during the day, amending legislation adopted at a previous session. This bill will be up for second reading Friday.

Without any reference to the issue of integration or segregation of public schools, this bill specifies that "any parish or city school board may sell, lease or otherwise dispose of, at public or private sale, for cash or on terms of credit, any real or personal property used in connection with the operation of any school or schools within its juridiction, to any person, firm or corporation. Any such sale, lease or disposal of such school property shall be on such terms and conditions and for such consideration as the school board shall prescribe."

A bill to provide an alternate means of financing grants-in-aid to the bills authored by Reps. T. T. Fields of Union; Bryan J. Lehmann Jr. of St. Charles and Risley C. Triche of Assumption, Davis' House floor leaders, died Thursday in the House judiciary C committee.

This bill, authored by Reps. E. J. Grizzaffi of St. Mary and John P. Sullivan of the 15th ward of Orleans, provided for earmarking for educational grants-in-aid of $28 million of the $60 million of bonds which the Legislature in its 1960 regular session authorized for capital improvements to state educational and other institutions.

However, another identical bill was introduced into the Senate Wednesday by Sens. B. H. Rogers of Grand Cane and Olaf J. Fink of Orleans, but is not conceded much chance there either provided administration bills to finance grants-in-aid do not hit a snag.

'TO CHANGE NOTHING'

Meanwhile, administration floor leader Risley Triche said the so-called "local option bill does not entail any change in the administration's refusal to accept token integration."

The bill permits local school boards to suspend operation of the public schools system, where local voters have endorsed such

action in a referendum.

In the event local voters refuse to permit suspending of the public schools, said Triche, it would "change nothing." The state, he said, would not recognize any sort of integration.

One bill was left on the calendar Thursday; and Fields, chairman of judiciary B committee, said that it will remain there for the balance of the session.

This was the bill by Rep. Elmer R. Tapper of St. Bernard providing that the state's two cent sales tax shall be levied newspaper advertising.

During Thursday's House session Tapper attempted to pass a resolution directing collection of a sales tax on newspaper advertising. However, after the bill was amended on the House floor by a 43-to-37 vote to provide that the tax would apply only to advertisements in daily newspapers, Tapper returned it to the calendar. Tapper said that he was dropping the resolution because the amendment would make it unconstitutional.

BAN TABLED

Earlier in the day, the House by a 51-to-29 vote passed a motion by Rep. George D. Tessier of the 14th Ward of Orleans to table another resolution by Tapper and Rep. Rodney A. Bruas of the Seventh Ward of Orleans to ban news cameras and sound recorders from the House chamber during legislative sessions. Adoption of the motion to table killed the resolution for the balance of the 12-day session.

Bills besides the local option, grants-in-aid and appropriations measures which advanced through committee and second reading in the House and which will be up for final House passage Friday are the following:

Placing New Orleans traffic court employes under civil service and providing for positions and salaries in the court including 20 process servers, not now employed, who will be paid at least $200 a month, or a total of $48,000 a year. Processes for the court presently are served by police.

Making it a crime to bribe parents of school children to send their children to a school in violation of state law.

Authorizing school co-operatives to contract for services of teachers qualified under certification standards of the state board of education.

Making it a criminal offense to commit acts of "intimidation or interference in the orderly functioning of the public schools of Louisiana."

Increasing the size of the East Baton Rouge parish school board from seven to 11 members by permitting the governor to name four additional members.

Adding another assistant district attorney for East Baton Rouge parish and one more for the 17th judicial district, which comprises the parishes of La-

Louisiana Bills Shoved Along

Among 12 Measures Is Local Option For Segregated, Private Schools

By The Associated Press

BATON ROUGE, Feb. 16. — Gov. Jimmie H. Davis' House leaders Thursday quickly shoved toward a floor vote 12 special session bills which include local option for private, segregated schools.

The House returns at 10 a.m. Friday for the floor voting, and Representative Risley Triche, Assumption Parish, a Davis floor whip, predicted victory.

The Davis timetable for his fifth straight special session is being carried out so far without a hitch.

He summoned the 12-day session to deal both with the first invasion of token integration in New Orleans—and to cope with new threats in the Federal Courts facing East Baton Rouge and St. Helena Parishes.

Senate In Today

The Senate returns at 7 p.m. Friday, ready to receive the House package and act on it Sunday if opposition doesn't mar the way.

Governor Davis has placed an emergency tag on his key bills and they'll be ready to become law when he signs them.

As a companion measure with the major bill letting the people vote on the school issue parish by parish, Davis House leaders, Representatives T. T. Fields, Union Parish; Bryan Lehmann Jr., St. Charles, and Triche, introduced a new measure during the day.

Token Sum

It authorizes school boards to sell school property to individuals or corporations — meaning private school co-operatives—at any price they choose. This could mean only a token sum.

Eleven bills will be ready for the House vote Friday. The 12th, since it was introduced Thursday, won't be ready for floor action until a day after Friday.

The House Judiciary B Committee, headed by Fields, rushed approval of 11 bills, while the House Appropriations Committee approved another providing $178,000 for special session expenses.

School Closing Bill Is Signed By Davis

Permits Local Option Votes In Louisiana

BATON ROUGE, La., Feb. 20 — (AP) — Gov. Jimmie H. Davis Monday signed all 10 special session bills topped by the main one permitting a local option straw vote to shut public schools.

All except a minor one were labeled emergency legislation, the Governor's office said, putting them into effect with his signature.

Senator E. W. Gravolet Jr., segregation leader in the Senate, steered to final passage in the Senate Sunday night the local option school closure bill.

It authorizes parish or city school boards to initiate a local option election whether to turn to private, segregated schools, or 10 per cent of equalified voters could petition for the step.

Senator A. C. Clemons Jr. asked if there was a vote to keep the schools open on an integrated basis, what would happen?

Senator Gravolet said the state will never condone any integrated schools.

The Louisiana plan does not make mandatory closure of the schools.

The 10 measures signed into law included two informer bills, latest Louisiana weapon designed to fight agitators in the state's fight against school integration.

Some opposing witnesses in a Senate committee hearing had branded these bills as attempting to turn back in history to the days that led to Nazism.

These two bills would reward informers who tell on persons attempting to bribe parents of school children or interfere with "the orderly operation of public schools."

14d(1) 1961 LOUISIANA

Sparring Continues on New Orleans Schools

The Washington Post

As the summer vacation period passed the halfway mark last week, national attention focused on new efforts to achieve desegregation in Southern school systems.

Attorneys for the state of Louisiana told a Federal court in New Orleans that public education is a privilege and not a right. The argument was advanced to counter charges of attorneys for Negroes in St. Helena Parish that a state local option school closing law denies equal protection and due process of law to some citizens.

Louisiana Attorney General Jack Gremillion said the state has the authority to substitute private schools for the public school system "as long as we treat everyone alike." The court took the case under advisement.

Transfer Approved

In a United States District Court at Greensboro, N. C., Judge Edwin M. Stanley approved the transfer of a Negro student to an all-white junior high school in Chapel Hill. However, he also directed five other Negroes to file suits seeking individual relief rather than challenge state pupil placement laws.

"Pupils have no inherent right to be transferred simply because of their race," Stanley told attorneys for the students. "The Constitution does not require integration. It merely forbids discrimination."

In New Rochelle, N. Y., the school board voted to go to the United States Supreme Court in an effort to block a decree ordering desegregation of a predominantly Negro school this fall.

A Federal District judge had ruled the school district in question had been gerrymandered to insure that 90 per cent of the school would be Negro. The U. S. Court of Appeals in New York upheld his decision.

Other Developments

In other racial developments last week:

The New York state "40 and 8" Club of the American Legion, meeting in Rochester, voted to drop the "whites only" clause in its charter. Officials said the group would introduce a similar measure at the "40 and 8" national convention in Indianapolis Sept. 21-23.

"Freedom Lobbyists," who staged a week-long sit-in at the Wisconsin State Capitol in Madison, won a round in their fight for civil rights legislation when a legislator promised to hold an executive committee hearing on bills to ban housing discrimination.

Negroes in Danville, Ill., picketed the city hall protesting a police raid on the Negro Elks Club that resulted in the arrest of 53 persons. Police charged those seized in the raid with being inmates of a disorderly house, on the grounds that the club's liquor license had expired.

In Providence the National Association for the Advancement of Colored People sent the mayor a letter accusing police of brutality in quelling a riot among 200 Negroes.

Twenty police with four dogs broke up a crowd that gathered when two policemen tried to disperse a handful of loiterers on July 25. Police Chief Walter Stone denied the use of brutal methods.

PUPIL SHIFTS SET FOR NEW ORLEANS

The New York Times

Fewer Than 10' Negroes to Enter Mixed Classes

NEW ORLEANS, Aug. 7 (UPI) — The Orleans Parish (County) School Board announced today that "fewer than 10" Negro first grade pupils would be admitted to previously all-white public schools in September.

The number of desegregated schools in the city will become six, an increase of four.

The board president, Louis G. Riecke Sr. said that Negro children who had received approval this year under the state's Pupil Placement Plan would attend Judah P. Benjamin, Robert M. Lusher, McDonogh 11, McDonogh 19 and Andrew H. Wilson schools.

Four Negro first-grade girls broke the public school color barrier here last year when three entered McDonogh 19 and one entered William Frantz. All were evpected to return, but Frantz was not named for further desegregation.

Action by Segregationist

The announcement came two days after one member of the five-man board had defied the others by disclosing the schools being considered in this year's integration plans. He is Emile A. Wagner Jr., a segregationist. When he acted Saturday without the board's consent, he charged that the board did not have to integrate further this fall but was doing so of its own volition.

"I know of no Federal court that compels you to do what you are doing," he told the other board members at a news conference this afternoon.

Samuel Rosenberg, school board attorney, replied that the state Pupil Placement Law would be in danger if the board did not effect further integration.

He said that the National Association for the Advancement of Colored People had asked the Federal courts for total integration of the city school system this fall and had challenged the constitutionality of the Pupil Placement Plan.

"The board is trying to defeat this motion and protect the Pupil Placement Law," he added, "It is trying to apply the law in a non-discriminatory manner so the constitutionality will be upheld."

The public schools open Sept. 7 and the Negro children in the new placements will begin classes a week later, school officials said.

The State Board of Education voted 7 to 2 today to allow an Atlanta white girl to transfer from a high school that will be integrated Aug. 30 to one that will remain segregated for at least another year.

The vote reversed the Atlanta School Board and Superintendent of Schools John W. Letson, who had rejected the application of 17-year-old Sandra K. Melkild to switch from Northside High School to Dykes High School.

The segregation-minded state board members ignored warnings that if such action were taken the Federal courts would step in quickly and mass integration throughout Georgia might result.

4 More Schools May Be Mixed

Appeal

Orleans Segregationist Says Other Board Members Are In 'Conspiracy'

By The Associated Press

NEW ORLEANS, Aug. 7. — The Orleans Parish School Board Monday named four more schools that could be integrated this fall during a meeting marked by sharp exchanges between segregation leader Emile Wagner Jr. and other board members.

Wagner, an elected member of the board, attended his first Board session in 14 months and accused board president Louis Riecke Sr. and other members of "a conspiracy."

Riecke said additional schools eligible for desegregation this fall are Judah Benjamin, Lusher, McDonogh No. 11 and Andrew Wilson, in addition to McDonogh No. 19.

McDonogh No. 19 was integrated by Federal court order last year, but white parents withdrew their children and except for one of two instances, only three Negro children attended classes there.

The number of Negro pupils eligible to transfer, Riecke said, was "less than 10."

Riecke said he called Monday's news conference to "clear the air" over some statements attributed to Wagner in newspapers over the week end. Riecke said Wagner accused the board of withholding the names of schools up for desegregation and the number of Negro pupils involved.

Wagner said the board was guilty of "a conspiracy" by withholding such information from the public.

"If you had released such information," Wagner said, "parents involved could have made plans to send their children elsewhere."

The board, Wagner said, had no legal basis for its action in making additional schools eligible for desegregated classes.

"What you are doing, you are doing on your own," he said.

Board attorney Samuel Rosenberg told Wagner the board is acting under court order, and using the pupil placement plan as interpreted by the courts.

"The courts at any time," Rosenberg said, "can declare the pupil placement plan unconstitutional. What the board is trying to do is to stay within the constitutional interpretation."

Total Integration

The way the board is using the plan, Wagner said, will mean total integration in the public schools in a few years.

Wagner challenged Riecke and the other board members to waive all requirements for a recall election "and stand before the people to see which way they want — yours or mine."

Matthew Southerland fired back at Wagner and said he had stood for re-election "since making my stand known on the schools and I was re-elected."

Riecke and Lloyd Rittiner suggested that Wagner attended Monday's session because of the publicity. Newsmen, photographers, television cameras and microphones filled the small conference room.

Official Brags About Louisiana Stand on Bias

Gettysburg Courier
Sat 8-19-61

NAACP Attorneys Quit Discussion To Seek Hearing

NEW ORLEANS — In a swift move to head off hardening resistance, NAACP attorneys led by A. P. Tureaud, abandoned plans for discussions on further school desegregation here and quickly moved for a formal court hearing on their request that all public schools in the city be desegregated.

Federal Judge J. Skelly Wright set Monday, Aug. 21, for a hearing in the new move.

Counsel for the NAACP and the Orleans Parish School Board were scheduled to meet last week with Judge Wright for a pre-trial conference to determine whether the NAACP would press further to get all the city's public schools desegregated.

Tureaud charged that the state's pupil placement plan flouts the desegregation order of the Federal court. He also charged that only four out of the city's approximately 50,000 Negro public school children had been admitted to white schools.

■

TUREAUD SAID the pupil placement plan gives too few Negro children a chance to get a nonsegregated education.

The NAACP attorney made his move to abandon the scheduled pre-trial conference with Judge Wright immediately after the Orleans Parish School Board announced that less than 10 Negro children would be eligible to enter white schools this year under the pupil placement plan. Some 66 had applied earlier.

The school board also revealed that four other white public schools would be desegregated this year—Judah P. Benjamin, 4040 Eagle St.; Robert M. Lusher, 1416 Pine St.; Andrew Wilson, 3617 Gen. Pershing St., and McDonogh No. 11, 2809 Palmyra St.

These are in addition to the two schools—McDonogh No. 19 and William Frantz—desegregated last year.

Leader Says State Among Tops in School Segregation

NEW ORLEANS—Louisiana's Frank Voelker, chairman of the state's sovreignty commission and outspoken segregationist, has bragged that the state is among the leaders in 18 states preserving segregation in public schools.

Voelker's basis for rejoicing was the Southern School News, published by the Southern Educating Reporting Service.

He said Louisiana has less school integration than any other Southern states, excluding Alabama, Georgia, Mississippi, and South Carolina.

The Southern School News reported some 10,173,399 white pupils and 3,088,261 Negro pupils in the South; of the total, only 213,532 Negro children are enrolled in schools with white children.

■

VOELKER'S bragging centered around th report that in Louisiana only one Negro child was listed being in school with white children, out of a total of 422,181 white and 271,012 Negro pupils.

Last year, four Negro children attended formerly all-white public schools in New Orleans; three attended McDonogh 19, where white children were forced into a total boycott of the school, and one attended William Frantz, where over 10 white children returned to classes in the face of threats from opposing segregationist forces.

Orleans Parish public schools are under Federal court orders to integrate. Four more public schools are scheduled for desegregation next month, added to the two already desegregated.

Public schools in East Baton Rouge Parish (Baton Rouge) and St. Helena, bordering on Mississippi, have been ordered with all deliberate speed by the Federal court.

Endorsed Desegregation

Journal & Guide
Sat 8-26-61

Louisiana Teachers Told 'Quit NEA Or Lose Jobs

Norfolk Va

SHREVEPORT, La. —(UPI) Claiborne Parish (county) school Superintendent F. C. Haley this week told Louisiana public school teachers to quit the National Education Association or face losing their jobs under a 1956 State law.

Haley said the NEA has endorsed racial desegregation in schools across the nation. He said a resolution of the NEA put NEA members in violation of Act 249 of the 1956 Legislature which outlaws State teachers belonging to groups advocating desegregation.

ANY SCHOOL board that continues witholding NEA dues for any of its teachers will be guilty of aiding and abetting teachers in violating the law, Haley said.

He proposed that Southern teachers organize their own association "more in harmony and sympathy with our heri-

3 Judge U.S. Court To Hear Case Friday

Louisville Courier
Sat 8-5-61

A special three-judge Federal Court will hear arguments Friday morning on the question of whether or not, under the United States Constitution, the State of Louisiana has a duty of providing public education.

The question, raised in the St. Helena Parish school desegregation case, will be argued by Louisiana Attorney General Jack P. F. Gremillion and his assistants representing the defendants and by Attorneys A. P. Tureaud and Jack Greenberg, New York, of the NAACP legal staff, representing the plaintiffs.

New Orleans

The special court, in an unusual move, has asked attorney generals of the 50 states of the union as well as the attorney general of the United States to file briefs on the matter.

St. Helena's school segregation became a legal issue when suit was filed by the NAACP on behalf of a group of Negro taxpayers. Federal Judge J. Skelly Wright then ordered the parish's public schools desegregated "with all deliberate speed" but set no specific date for compliance.

WOULD LOSE SCHOOLS

The 1961 Louisiana Legislature, in an extra session, enacted Act 2 which gives parishes the prerogative of abolishing public schools facing integration if such a measure is approved by a referendum election called for that purpose.

Accordingly, the St. Helena Parish School Board called such an election in April and received such authorization by a vote of 1147 to 46.

The NAACP then filed a suit attacking the constitutionality of Act 2 on the grounds that it denies the Negro plaintiffs in the original suit the benefit of due process of law.

COURT ASKS OPINIONS

A special court, composed of Judge John Minor Wisdom of the U. S. Fifth Circuit Court of Appeals, and District Judges Herbert W. Christenberry and J. Skelly Wright, heard initial arguments on April 26.

At that time the court asked for the additional briefs from the various states and the U. S. Attorney General.

The court asked that the briefs particularly cover these two questions:

1. Would the abandonment of a state's public school system deprive children of rights guaranteed by the 14th Amendment's due process or equal protection clauses?

Sat 8-5-61

2. Would the answer be the same if the abandonment were on a local option basis following a vote of the electorate authorizing school authorities to close public schools?

JUSTICE DEPT. REPLIES

Replies had been received last week from 28 states and from the U. S. Justice Department. Of these 28 states, 16 would have the court hold that they are constitutionally required by the due process cluase to provide public education. Two would have Louisiana's Act 2 declared unconstitutional under the equal protection clause, and 10 states would have the court hold the act constitutional.

The Justice Department has filed a brief contending that due process requires that states furnish public education and that equal protection would be denied if schools are closed.

Further, it is contended that the state is obliged to provide public education in view of its vote registration laws which include certain educational requirements, particularly a literacy test.

The "Save Our Schools" organization also filed a brief maintaining that public education is not required under due process but equal protection would be denied by closing schools.

NAACP attorneys contend that both the due process and equal protection clauses would be violated by the closing of public schools.

Catholic Priest Resigns From School Foundation

The Louisiana Weekly
New Orleans, La.

By John E. Rousseau

A Catholic priest here has resigned from the trustee board of the newly-organized New Orleans Educational Foundation at the request of the Most. Rev. Joseph Francis Rummel, STD, archbishop of New Orleans. He is Rev. Carl V. Schutten, pastor of St. James Major Church and editor-in-chief of Catholic Action of the South.

The resignation was made public by Emile A. Wagner, Jr., an avowed segregationist, at a meeting of prospective members of the foundation. He said Father Schutten gave no reason for his withdrawl which, according to Wagner, was "submitted reluctantly."

Monday, the Chancery Office of the Archdiocese issued a statement:

"We are pleased to note that the Rev. Carl J. Schutten, at the request of the Most Reverend Archbishop, dated 4/24/61, has withdrawn from the N O Educational Foundation. It is inappropriate and inconsistent for a Catholic priest to belong to this group.

The archbishop's action followed wide protest among Negro Catholics after Father Schutten's name was listed among the foundation's trustees along with those of Wagner and Gerard Rault who have been active in promoting racial segregation.

Typical of the protests is a letter made available to the Louisiana Weekly by Joseph M. Ashford, a life-long Catholic, who said, in part:

"Any person who has kept abreast of news during the present school desegregation crisis is fully aware that the foundation has only one objective-- to preserve and to promote racial segregation...

"I do not question Father Schutten's right to associate with whomever he pleases, but I respectfully submit that in his position as editor-in-chief of the official publication of the Archdiocese of New Orleans, his association, in this instance, cannot be termed beneficial."

Many other Negro Catholics informed the Louisiana Weekly they had sent letters and had made telephone calls to the Chancery. Others said they had begun a campaign to cancel subscriptions to the publication of which Father Schutten is editor-in-chief.

LOUISIANA BLOCKED IN SCHOOL LAW PLEA

The Washington Post

WASHINGTON, May 8 (AP) —The Supreme Court struck down today another Louisiana effort to bloc desegregation of schools in New Orleans.

The court affirmed a lower decision holding invalid laws that sought to vest primary control of New Orleans schools in the Legislature and sought to deny the school board control of school funds.

The decision was given by a special three-judge Federal Court in New Orleans on Dec. 21, 1960. The special court also enjoined city officers and employes from refusing to pay the Orleans parish (county) school board daily all taxes levied by the board and collected by the city.

Alvin J. Liska, New Orleans attorney, appealed to the Supreme Court to review the special court.

Earlier, the high court said Louisiana's arguments in support of ts anti-integration laws were "wthout substance."

In today's unanimous action, the Supreme Court merely announced that it was affirming the judgment of the lower court.

Pupil Placement Law Is Challenged

The Louisiana Weekly
New Orleans, La.

Plaintiffs in the nine-year-old desegregation suit of Earl Benjamin Bush, et al vs. the Orleans Parish School Board on Monday challenged the pupil placement law and asked the Federal Court to end segregation in all local public schools next September.

Filed by Atty. A. P. Tureaud, counsel for the plaintiffs, the motion alleges that the pupil placement law adopted by the school board and used to desegregate the William T. Frantz and McDonogh 19 schools Nov. 14 is contrary to the Federal Court's desegregation order.

Also, on Monday night, the school board elected O. Perry Walker, a native Orleanian and a veteran of 39 years of teaching and administrative experience, as superintendent of New Orleans public schools. He succeeds Dr. James F. Redmond whose resignation effective July 1.

Meanwhile, in Washington, the U. S. Supreme Court Monday struck down another Louisiana effort to block the desegregation of New Orleans schools.

The high court upheld a ruling of a three-judge court holding invalid laws which sought to vest control of New Orleans schools in the Louisiana Legislature and sought to deny the school board control of school funds.

The motion filed here Monday avers pupil placement effectively limits the number of Negro students seeking a non-segregated education, and as a result, "the plaintiffs and the class they represent - approximately 50,000 Negro students, save four -- are still effectively denied their constitutional rights to non-segregated education."

Further, the motion contends the limiting to four the number of Negroes admitted to former all-white schools did not simplify the problem of transition "nor soften the hard core resistance of either the state Legislature or the recalcitrant mobs."

The four Negro children mentioned in the petition-all girls--were admitted to the first grades in the two desegregated schools.

A hearing on the motion has been scheduled for May 17, at 10 a.m. before Federal Judge J. Skelly Wright.

Louisiana Cited In Federal Suit

The Commercial Appeal
Memphis, Tenn.

Justice Department Accuses East Carroll Parish Of Rights Violation

SHREVEPORT, La., April 28, (UPI) — The Justice Department accused the state of Louisiana and the East Carroll Parish registrar of voters Friday of denying an estimated 4,183 Negroes the right to vote with a rigid identification rule.

The rule, according to a suit filed by the Justice Department in United States District Court here, is that a Negro, to register to vote, must be identified by two persons from his precinct who are already registered. No Negro is registered in East Carroll.

The suit said white persons in East Carroll who want to vote may identify themselves with drivers' licenses, library cards or Selective Service cards.

No Outside Solution

United States Attorney General Robert Kennedy said in Washington the Justice Department first tried to find a solution outside of the courts.

"This complaint was filed," he said, "because we were unable to achieve voluntary compliance with the law."

The suit named Cecil Manning, parish vote registrar, as a defendant.

East Carroll has a total population of 14,433, of which more than 60 per cent is Negro. There are 379 white persons currently registered to vote.

Friday's suit marked the second time East Carroll has figured in a civil rights case. Earlier this year, the Justice Department instituted a suit against 11 individuals and several corporations, charging them with conducting an economic boycott against a Negro cotton farmer.

The earlier suit said the defendants were angry because the Negro, Joseph Atlas, 56, testified about voter discrimination at a United States Civil Rights Commission hearing in New Orleans.

Atlas, father of 12, allegedly was denied a market for his cotton and soybean crops.

One Of Five Parishes

East Carroll is one of five parishes in which no Negroes are registered. The others are Madison, St. Bernard, Tensas and West Feliciana. In seven other parishes, fewer than 100 Negroes were registered to vote in the presidential election last fall.

In Baton Rouge, state Attorney General Jack Gremillion said the suit was expected, and that he, as legal officer for all voter registrars in the state, would "fight it all the way."

The only surprise, he said, was that the state was made a party to the suit.

U.S. Files Voter Suit in Louisiana

The Washington Post
Washington, D.C.

United Press International

The Federal Government filed a civil rights suit yesterday at Shreveport, La., charging that Negroes in East Carroll Parish (county) have been illegally denied their voting rights.

Attorney General Robert F. Kennedy announced here that the complaint charged the State of Louisiana and the Parish voting registrars with preventing an estimated 4183 eligible Negroes from registering.

Kennedy said the suit charges that voter identification procedures used in the Parish discriminated against Negro applicants in violation of the Civil Rights Act of 1957.

According to Kennedy, East Carroll Negroes must be identified by two registered voters from their own precinct, with the result that not a single Negro in the Parish is registered.

On the other hand, he said, white applicants may identify themselves by "such reasonable means as selective service cards, driver licenses or library cards."

"In this instance, as in other voting discriminating cases," Kennedy said, "we have tried to work out a solution without going to court."

He said "this complaint was filed because we were unable to achieve voluntary compliance with the law."

The suit was the second voting discrimination case filed since the Kennedy Administration took office. It brings to eight the number of such voting suits brought by the Justice Department since passage of the 1957 civil rights legislation and third brought in Louisiana.

East Carroll Parish borders on the Mississippi River in northeast Louisiana. It figured in an earlier civil rights case this year when the Department charged that local businessmen were carrying out an economic boycott against a Negro cotton farmer after he testified before the Civil Rights Commission.

Louisiana Suit Seeks To Stop Voter Bias

The Courier-Journal
Louisville, Ky.

Washington, April 28 (AP) — Attorney General Kennedy Friday brought suit to compel a Louisiana parish (county) to register Negroes for voting on the same basis as white persons.

The action, filed in Federal District Court at Shreveport, La., was brought against the State of Louisiana and Cecil Manning, registrar of voters in East Carroll Parish where the alleged discrimination took place.

The civil action charged that an unusual "identification procedure" had been effectively used to prevent some 4,183 East Carroll Negroes of voting age from getting on the voting rolls.

LA. GROUP SEES PRIVATE SCHOOL

Baton Rougeans Continue Virginia Tour

CHARLOTTESVILLE, Va. (AP)—A Louisiana delegation studying Virginia's methods of meeting the school desegregation crisis continued its tour Tuesday in this university city.

The five-man group from East Baton Rouge parish, La., headed here from Farmville, where it had a close look Monday at the private school system for white children in Prince Edward county.

Tuesday was set aside for a study of the private school here which serves white children whose parents do not wish to send them to integrated schools. There has been some integration here.

'IMPRESSED'

The visitors said they were "impressed by the private schools" in Prince Edward, where public schools were abandoned in 1959 as an alternative to court-ordered desegregation.

John S. White, a member of the East Baton Rouge parish school board, said the Prince Edward schools reflected "the determination of the citizens of the county to have a private school system."

And, added Dist. Atty. Sargent Pitcher, another member of the touring group, the schools also reflect "a determination not to integrate."

TO VISIT RICHMOND

East Baton Rouge parish is faced with a federal court order to desegregate its school, though no time limit was set by the court. It was as a result of this order that the school board voted to send the delegation to study how Virginia has met the desegregation problem.

After their visit here, the Louisianans—minus White and Pitcher, who planned to leave for home Tuesday night—will go to Richmond for conferences with officials of the state board of education.

Besides White and Pitcher, those on the trip are school board member Lewis Doherty Jr.; assistant school Supt. Robert Aertker, and assistant secondary schools supervisor John Fitzpatrick.

Desegregation Appeal Is Lost

WASHINGTON, May 8 (AP)—The Supreme Court rebuffed today still another effort to block public school desegregation in New Orleans.

The City of New Orleans filed the latest of a long line of anti-desegregation appeals to be rejected by the court.

The city had asked the court to overrule a three-judge Federal Court decision holding invalid state laws seeking to give the state Legislature control of the New Orleans schools and denying funds to the elected school board to operate the schools.

In an 11-word unsigned order, the court today affirmed the lower court.

The school board, through counsel, noted that the city's appeal was from the same opinion of the lower court from which an appeal had been taken earlier by the Louisiana Legislature. In that appeal the court on May 20 affirmed the action of the lower court.

Still pending from the same order is an appeal by the Orleans Parish School Board which the Legislature created and sought to put in charge of the New Orleans schools.

In another action today, the court agreed to hear the appeal of the president of the Miami branch of the National Association for the Advancement of Colored People, who was convicted of contempt of court in Florida.

The conviction of Theodore R. Gibson grew out of his refusal to provide a list of the Miami branch's members to the Florida legislature investigating committee. He was sentenced to six months in jail and fined $1200.

14d(1) 1961

LOUISIANA

New Orleans Mixed Schools Report Drop In Attendance

Montgomery, Ala.

NEW ORLEANS (AP)—For reasons unexplained, attendance at New Orleans integrated public schools dwindled this week.

Only seven white children—there had been 12 to 15 right after the start of integration Nov. 14—turned out at William Frantz where one Negro girl is in the first grade.

At McDonogh No. 19—target of a white boycott since integrated classes started—two Negro girls in the first grade went to school. There had been three for several weeks.

School authorities were unable to explain the drop in attendance at either school.

Things were quiet on the legislative front. The Louisiana Legislature is in recess in a special session until Feb. 13, but lawmakers remained at the call of Gov. Jimmie H. Davis on a standby basis.

The legislature has tried to oust the elected New Orleans School Board several times, but each time a federal court order blocked the move. The legislature wants to substitute an appointed committee to run the schools.

On the teacher pay situation, all teachers are paid up to date except those at Frantz and McDonough, who still have not been paid for the month of November.

Dr. James Redmond, superintendent of the city's public schools said Thursday, however, that neither he nor school board attorney Sam Rosenberg have been paid since October.

The legislature resents the stand taken by the school board and Redmond, who advocate an "open school" policy despite integration.

White Child Ends Unity Of Boycott

The Montgomery Advertiser

Montgomery, Ala.

NEW ORLEANS, La. (AP)—A third-grade white boy broke the total segregation boycott of McDonogh No. 19 School Friday, arousing fear of new tension in this city's 75-day school crisis.

A few clusters of women demonstrators huddled across the street and yelled "traitor" when Gregory Thompson, 9, left the school accompanied by a federal marshal.

Dat 1-28-61

John N. Thompson, the boy's father, told newsmen the family moved into the McDonogh neighborhood in November.

This was the first white pupil the three-story building in eastern New Orleans has had. Only three Negro girls have attended McDonogh classes.

Almost in tears, one of the huddled group of mothers said: "All we worked for, and now someone has to send their children back to school here."

A second mother voiced the conflict that has torn New Orleans since four Negro girls entered previously all-white schools for the first time Nov. 14.

CHILD UNHAPPY

"My little boy is unhappy and wants to go back to McDonogh," she said in a low voice.

She looked around and added: "And, I'd almost put him back if I wasn't scared of some of these other women."

Mary Sand, head of Save Our Schools, an organization aimed at keeping New Orleans schools operating even if they are integrated, hailed the crack in the 100 per cent McDonogh No. 19 boycott. She obviously expected other McDonogh parents to follow the example of the father of the one boycott breaker.

Dr. James F. Redmond, superintendent of New Orleans schools, announced the entry of the white boy without identifying him but said the father was "tired of seeing his boy go over the same work he did last year."

P. 6-A

The boy, said Redmond, has been attending classes in St. Bernard Parish schools since November, like most of the other white McDonogh students. The school had about 500 white pupils before integration.

Montgomery Ala.

TO RE-ENTER

The father told school officials another son, now ill, would reenter McDonogh Monday.

Biting winds and a 33-degree temperature soon forced the neighborhood women to sit in cars or enter nearby stores.

At the city's other integrated school, William Frantz, in the same general area of the city, the situation remained unchanged from early December. Seven white pupils and one Negro girl attended classes.

Some weeks ago formal daily picketing of the two schools ceased after police pushed picket lines back a block from William Frantz.

Segregation skirmishes grew exclusively legal, legislative and strategic, far from the schools themselves.

Evicted Foe Of Boycott Offered Aid

The Atlanta Constitution

Atlanta, Ga.

35 Mothers Jeer Son in New Orleans

By WILLIAM COOK

NEW ORLEANS (UPI) — The family of a third-grade boy attending integrated McDonogh 19 school Monday was told to get out of its four-room apartment, but a national Jewish organization offered the family "help of any kind."

Jews, 1-31-61

Gregory Thompson, 9, attended the McDonogh School for the second time Monday, braving the jeers of about 35 screaming mothers. He is the first white child to attend the school with three Negro first grade girls since Nov. 17, the third day of federally ordered desegregation of New Orleans schools.

P. 2

SHOUTS OF 'TRAITOR'

More than a dozen police Monday morning turned back the women as they moved toward the U.S. marshals' car bringing Gregory to school. There was no violence, just shouts of "traitor" and "nigger-lover."

Gregory cracked the complete white boycott, of McDonogh Friday. Monday, Mrs. Margaret Lezina, the Thompson's elderly, white-haired landlady told the family she wanted them out of the four-room, poorly-furnished apartment by Feb. 7.

Gregory's father, John, 33, a soda fountain assistant manager, said he planned to fight the eviction order.

"I used to be a segregationist," the Alabama-born Thompson said. "I went in the army believing like that and I soon learned different. A human being is a human being.

PROMISES FIGHT

"I'll fight for my rights as long as I'm able," he vowed.

Rabbi Joseph P. Glaser, of Menlo Park, Calif., director of the Pacific Northwest region of the Union of American Hebrew Congregations, Monday wired his praise to Thompson.

"Your stand on school segregation hailed here as heroic and high-level," the Rabbi's telegram said. "If you need help of any kind, do not hesitate to call collect. Many people here anxious to support you. Be strong and of good conscience."

Gregory's younger brother, Michael, 8, is expected to attend Mcdonogh 19 as soon as he shakes a lingering cold. Both boys formerly attended a segregated school in neighboring St. Bernard Parish (county)—the same school where most of the more than 1,000 students from the city's two integrated schools flocked after integration began last Nov. 14.

NEW ORLEANS

Voice of Moderation Rises in New Orleans

The Christian Science Monitor

Special to The Christian Science Monitor

New Orleans

Drowned out by the clamor of extremists in the New Orleans school integration crisis, the voice of moderation is rising. It could soon reverse the ominous trend toward public school abolition.

Boston Mass.

Numerous developments in recent days bolster that conclusion, perhaps the most dramatic being a tribute by New Orleans citizenry to the five men who have borne the brunt of the legislative attack on the public school system.

2-13-61

This tribute took the form of a testimonial banquet for four school board members and the Orleans Parish Superintendent of Schools — targets of a fierce and unrelenting onslaught by the Legislature for their steadfast refusal to sabotage the system in protest to federally ordered integration.

More than 1,600 admirers attended the banquet, and an additional 1,000 were turned away because of inability to accommodate them. The assemblage was studded with leaders in the business and professional life of the city.

'We Are Here',

The keynote was sounded by attorney Ralph N. Jackson, dinner chairman, who said that a New York newspaper (the Times) recently ran an editorial captioned "Where Are the Southern Moderates?" Proclaimed Mr. Jackson: "This gathering tonight is an excellent and adequate answer to that query. We are here."

A significant straw in the wind a few weeks earlier was an unobstrusive campaign by supporters of superintendent James F. Redmond, to convey some tangible evidence of their backing. The movement resulted in a cascade of dollar bills from several thousand citizens to Dr. Redmond. At that time the superintendent and board faced a crisis. Their funds were frozen by the banks, their borrowing ability stifled by the uncertainty of their legal position, and their revenues due from the state cut off by the Legislature.

And while funds received from the campaign were a drop in the bucket compared to the monumental needs, the gesture was a heartening one in that it symbolized the magnitude of public sympathy.

Davis Softens Attitude

The conviction that there is no fundamental hostility between whites and Negroes in New Orleans was heightened Thursday when several thousand of both races rubbed shoulders at Dixieland funeral services for old-time jazzman Alphonse Picou without incident and with no sign of tension or antipathy.

Thoughtful observers have long contended that the racial violence that occurred on "black Wednesday" in mid-November was incited by rabble rousers at a citizens council meeting the night before, and was a purely synthetic and whipped-up affair spearheaded by irresponsible hotheads.

On the state governmental level, two factors stand out encouragingly. Gov. Jimmie H. Davis, who has been adamant in his defiance of federal court orders to integrate, has adopted a less belligerent tone. The belief that he is taking a hard second look at the situation gained credence when he commented that "I am studying" the conciliatory position toward integration assumed by Gov. S. Ernest Vandiver of Georgia, previously a rock-ribbed segregationist.

The second aspect is the fact islation: "I think many of the segregation-at-any-price boys are undergoing an agonizing reappraisal."

Observers hold that die-hard segregationists are inevitably coming to the conclusion that the choice is no longer one of school integration or segregation. It is simply and patently a matter of integration or closed public that the Legislature, which pulled out all the stops in enacting segregation legislation at three turbulent special sessions, has been at least temporarily muzzled by being placed on a standby basis during this, its fourth special session.

Taxpayers Respond

Wryly commented a legislator — one of the corporal's guard who vainly sought to stem the flood of strait-jacket school leg- schools. And few will deny that the problems involved in setting up a private school system to supplant the public schools are at least onerous — at most, in-

Payless Payday Despite Order

superable.

Another hopeful sign is the splendid response of New Orleans taxpayers to an appeal of Mayor deLesseps S. Morrison for early payment of their property taxes—normally due May 1. The school system expects to net some $13,000,000 from the taxes, and already enough has been paid in to enable it to meet January payrolls without legislative aid. A February payroll of $1,900,000 becomes due on Feb. 17, and authorities are hopeful that it can be met as property owner returns continue to flow in.

Sentiments Voiced

Two of New Orleans' most able and eloquent speakers put into words the sentiments of most moderates at the testimonial dinner for Dr. Redmond and the four intrepid school board members — Matthew J. Sutherland, Lloyd J. Rittiner, Theodore H. Shepard, Jr., and board president Louis G. Riecke. Pointedly uninvited was the fifth member, Emile F. Wagner, Jr., an out-and-out segregationist.

The orators were Mr. Jackson and attorney Harry B. Kelleher. Said Mr. Jackson:

". . . A moderate, I think, is someone who suspects that neither pure virtue nor absolute evil exists on this earth, that revolutionary aims based upon unadulterated idealism must always fail because they do not conform to nature and to the circumstances of man's existence.

"Our section is now beset by violent demands from the North and from the federal government for massive and revolutionary reform on the one hand.

"On the other hand, we face equally idealistic and extreme demands on the part of local politicians that the status quo be maintained at all costs.

"What we need in these circumstances in the South is a spirit of true rebellion; a spirit that is really ours by nature; a spirit that says to both sides that there are limits beyond which we cannot be pushed; that there are lines which must be drawn and that cannot be overstepped."

U.S. Fails To Help Orleans Teachers

Jackson Daily News
Jackson, Miss
2-17-61

NEW ORLEANS (AP)—New Orleans public school teachers and other employes faced a payless payday in the city's continuing school integration struggle today, despite renewed maneuvering by the state and federal governments.

In its first move since the Kennedy administration took office, the Justice Department filed a civil contempt action designed to force State Education Supt. Shelby Jackson to free $350,000 in federal funds for New Orleans schools.

In a supplemental motion to earlier contempt agaion against Jackson, Lt. Gov. C. C. Aycock and House Speaker Thomas Jewe U.S. Atty. M. Hepburn Many also asked that Jackson be directed to recognize the credentials of teachers hired by the Orleans Parish School Board since Nov. 14, when two city schools were integrated under federal court order.

The motion was filed in U.S. District Court here.

Meanwhile, the state Senate prepared to vote tonight on a House-passed resolution that directs that city teachers—except those at the two integrated schools—he paid by a school board appointed last month by the legislature to replace the elected board.

The state-appointed board, however, is under federal injunction not to displace the ejected board, so there seemed some doubt whether this move would actually pay the teachers.

Even if the school board got the $350,000 allegedly held by Jackson, it would still need more than $1,000,000 to meet the monthly payroll due today.

In addition, the board needs $246,000 by Feb. 26 to meet other obligations.

Faced with this financial outlook, board president Louis G. Riecke Thursday wired President Kennedy, urging that the President use his influence "to alleviate the situation."

Riecke also sent telegrams to Louisiana congressmen asking for help. He warned it might be necessary to close all city public schools if teachers can't be paid.

Informed of the court action in Baton Rouge, Jackson said: "I'd like to see it before I make any comment."

Many also asked that the court set a date for the hearing of contempt charges against the three state officials. The case will be heard by the same three-judge court that has heard most of the New Orleans school cases—Judge Richard T. Rives of the U.S. 5th Circuit Court of Appeals and U.S. District Judges J. Skelly Wright and Herbert Christenberry.

New Orleans School Board Appeals To President In Teacher Pay Crisis

The Montgomery Advertiser
Montgomery, Ala.
2-17-61

NEW ORLEANS (AP) — The New Orleans School Board, still caught in a financial pinch, appealed to President Kennedy for help Thursday and at the same time dashed teacher hopes of a payday Friday.

President Louis G. Riecke of the Orleans Parish School Board sent a telegram to the President, urging that he use his influence "to alleviate the situation."

The board announced the paychecks for teachers, principals and other school personnel due Friday would not be distributed.

The announcement blamed a lack of "sufficient funds caused by the actions of the state legislature" as the reason for the failure to meet the payroll. The board said it needed another $1,400,000 to meet the $1,850,000 payroll.

Riecke also sent telegrams to Gov. Jimmie H. Davis, members of the legislature and other state officials urging that they release funds to make the checks available.

In his telegram to Kennedy, Riecke said the state legislative action "as a result of federal desegregation orders has tied up our funds and effectively impaired our borrowing capacity to such an extent that unless we are able to meet payrolls we may have to close all public schools in New Orleans."

Riecke also said this would "not only affect the education of 90,000 school children, but will add over 5,500 people to the unemployment rolls.

"If there is any way," his telegram continued, "that you can use the influence of your office to alleviate this situation, you will be rendering a great service to our city."

Riecke emphasized the board was not asking for a federal handout.

"The Orleans Parish School Board," he said, "has assets in the form of taxes due to insure a loan."

Mayor Delesseps Morrison, meanwhile, said the city would proceed with its plans to help the school board meet payrolls. He said a resolution to authorize the city to borrow $4 million against anticipated tax revenues would be introduced Thursday at a special session of the city council.

The school board's share of this $4 million, he said, would be $1,664,000. If the loan were approved by the state bond and tax board, the payroll checks could go out on schedule.

Meanwhile, Thursday approximately 50 teachers who are members of the New Orleans Classroom Teachers Federation joined the movement to pay city property taxes in advance in order to help pay teachers and other employes of the Orleans parish school system.

"Our purpose is to let people see that we too want to participate in this overall effort to pay teachers so that the schools may be kept open," said Mrs. Theresa Lamont, vice-president of the association.

Outside City Hall two picketing teachers, A. T. Tichenor of Gregory Junior High school and his wife, who teaches at Wright Junior High school, carried placards opposing the payment of city taxes. One placard read: "Teachers Endorse Pay, Not Government by a Judicial Decree."

Tichenor explained that: "We're for pay, but we are not going to allow ourselves to be bought out by token integration in order to get paid. The politicians of New Orleans that are furthering integration are just trying to use the teachers to get votes."

10 WHITE PUPILS NOW AT FRANTZ

Picayune
New Orleans, La.

McDonogh 19 Boycott Is Solid Again

Ten white children and one Negro girl were in attendance at the integrated William Frantz elementary school Thursday while only three Negro girls attended the McDonogh No. 19 school where the white boycott had been broken for a few days and then restored. The attendance figures on the two schools which had been ordered integrated last Nov. 14 by Federal Judge J. Skelly Wright, were made public Thursday by the office of Dr. James F. Red-

Charge Teachers Are Being 'Pressured'

The Louisiana Weekly
New Orleans

New Orleans — Unconfirmed reports of the coercion of Negro principals and teachers in an effort to have them endorse segregated schools and the acts of the state legislature continue to zoom around the state but fear of job losses seems to make the Negro principals and teachers keep a stiff upper lip.

According to his loud rumor the superintendents of the various parish schools of the state were called into the office of a high official and told that they should get their Negro principals and teachers in line. Following this the report says, the superintendents returned to their respective parishes and immediately told their Negro teachers what to do or what to expect if they did not comply.

Many of the principals and teachers have been contacted but up to date not a single one has confirmed the report. The reports, however, continue to cry out aloud.

Coercions of thus type it is alleged have been used in the rural school systems for years. Some years ago many principals of high and elementary schools in rural sections walked out of a teacher association meeting and asked for their walkout to be made a matter of record. Their walkout was occasioned by a discussion of whether or not the association should sue school authorities for equal salaries for Negro teachers and principals.

An investigation by several organizations is said to be under way to try and verify or condemn as false the consistent rumor.

Special Funds To Be Used In Paying N. O. Teachers

The Montgomery Advertiser
Montgomery, Ala.

NEW ORLEANS (AP) — The New Orleans School Board said Wednesday it would use money from two sources to meet a $1,895,000 payroll due to teachers and other school personnel Friday.

President Louis G. Riecke of the Orleans Parish (county) School Board said the balance in the legislative school account is $749,000, "obviously not enough to meet a $1,895,000 payroll."

The school board, he said, has an accumulated fund of $1,570,000 and the two accounts would be combined to meet the payroll.

Since the state legislature has recessed subject to call until Feb. 13, Riecke said it is obvious "they are not going to appropriate money for outcoming payrolls."

The legislature, however, has authorized State Rep. Bryan Lehmann of St. Charles Parish to sign checks from the school account to meet payrolls "until the money is exhausted," Riecke said.

Teachers at the William Frantz Elementary School—one of two integrated Nov. 14 after a federal court order—have not been paid by the state since that date.

Checks sent to Lehmann for signature, Riecke said, will not include those for teachers at Frantz.

At Frantz, 10 white students and one Negro girl in the first grade attended classes Wednesday—about the same number as has been for the last several days.

At McDonogh No. 19—the other school ordered integrated by the federal court—only three Negro girls in the first grade went to school. McDonogh No. 19 has been boycotted by white students since the early days of integration.

There were no demonstrators at either school Wednesday in keeping with the pattern of the last several weeks.

1900 TEACHERS GET PAY TODAY

The Times—Picayune
New Orleans, La.

Early Tax Returns Providing School Money

More than 1900 city school teachers who went payless last week will be paid Tuesday — thanks to those who answered pleas to pay their 1961 property taxes early.

Orleans parish school board president Louis G. Riecke Sr. announced Monday that the board had received about $700,000 as its share of the taxes thus far collected.

He said this sum would cover all board expenses up to Feb. 17 when the next teacher payroll is due.

And, said Riecke, if a suffient number of persons and corporations paid their taxes before then, the February payrolls also could be met.

TAXPAYERS HELP

Both Riecke and Mayor deLesseps S. Morrison in the past few days had urged taxpayers to make their payments as soon as possible to help the unpaid school employes. Normally, the taxes are not due until May 1.

First to be paid with the advance tax money will be the some 1950 teachers who did not receive January paychecks last Friday. Riecke said they would be paid Tuesday at 1 p. m. "through regular school board channels."

When these checks are issued, he said, all employe payrolls would be up-to-date except those affecting 55 members of the board's administrative staff and William Frantz and McDonogh 19 schools.

MAY GET $7,500,000

All employes will receive January paychecks, Riecke explained, but neither the administrative staff nor teachers at the two desegregated schools have yet received pay for last November.

Morrison, one of the first in line Monday to pay his property tax, said it was possible for the board to get as much as $7.5 million of its $13 million in taxes through the early payments.

The school board normally makes loans pending future collection of these taxes, but the state Legislature has tied up the board's borrowing power.

(Dr. James F. Redmond cites serious problems in the operation of the Orleans parish public school system. Sec. 1, Page 3.)

Referring to the public response to his plea to make early payment, Riecke said: "This tells me the people are behind the board. They want to see the teachers paid."

FIRST MISS SINCE '33

Turning his attention to the Legislature for a moment, Riecke added that not since 1933 — when the banks were closed — had the board failed to meet a payroll.

"That was up to last November when all this started," he said. "It just shows you what the board can do if it is not harassed, and if the funds are not diverted."

Riecke said the state department of education had returned all checks the school board had supplied to meet local school employe payrolls.

"This indicates they have no intention of using the $749,000 they had set aside for this purpose," he said.

Riecke urged all taxpayers who had not yet made early payment to do so.

'FIGHT FOR EVERY $1'

"If you have last year's tax bill, you can pay up to 90 per cent of that," he said. "You will get a receipt and when the bills are mailed out, this receipt can be used as a deduction."

He said many persons had called the school board office Monday to volunteer their help.

"It hasn't been easy," Riecke concluded. "We've had to fight for every dollar."

Meanwhile, attendance at the two desegregated schools decreased slightly Monday, strengthening the white boycott.

ATTENDANCE DROPS

Only seven white children were in classes at Frantz, where a lone Negro girl is in attendance. There were 10 on Friday.

Dr. James F. Redmond, superintendent of schools, explained that the parents of two of the children were out of town temporarily, while the parents of the third pupil had moved away. The father of the child, he said, had completed his studies at Baptist Theological seminary.

At McDonogh, only two of the three Negro first-graders assigned there reported for class. The third, Redmond said, was ill.

Mixed School Attendance Falls Off At New Orleans

The Post and Courier
Charleston, S. C.

NEW ORLEANS (AP)—For reasons unexplained, attendance at New Orleans' integrated public schools dwindled this week.

Only seven white children—there had been 12 to 15 right after the start of integration Nov. 14—turned out at William Frantz where one Negro girl is in the first grade.

At McDonogh No. 19—target of a white boycott since integrated classes started—two Negro girls in the first grade went to school. There had been three for several weeks.

School authorities were unable to explain the drop in attendance at either school.

Things were quiet on the legislative front. The Louisiana Legislature is in recess in a special session until Feb. 13, but lawmakers remained at the call of Gov. Jimmie H. Davis.

The Legislature has tried to oust the elected New Orleans School Board several times, but each time a federal court order blocked the move. The Legislature wants to substitute an appointed committee to run the schools.

On the teacher pay situation, all teachers are paid up to date except those at Frantz and McDonogh, who still have not been paid for the month of November.

Dr. James Redmond, superintendent of the city's public schools, said Thursday, however, that neither he nor School Board Attorney Sam Rosenberg have been paid since October.

The Legislature resents the stand taken by the school board and Redmond, who advocates an "open school" policy despite token integration.

Students formerly enrolled at Frantz and McDonogh No. 19 are now attending other public schools in the city, and public and private schools in adjoining St. Bernard Parish. The greatest number of them are attending private schools in St. Bernard.

U.S. Court Of Appeals Takes Under Advisement 2 Key Cases

The Louisiana Weekly
New Orleans, La.

NEW ORLEANS -- The United States Fifth Circuit Court of Appeals had under advisement at press time appeals from lower court rulings ordering the desegregation of public schools in East Baton Rouge and St. Helena Parishes and six state trade schools.

Trade schools involved are the Southwest Louisiana Vocational - Technical School, Crowley, La.; Natchitoches Trade School, Natchitoches, La.; Florida Parishes Vocational School, Greensburg; Sowela Vocational-Technical School, Lake Charles; T. H. Harris the Shreveport Trade School, Shreveport.

The appeals from a summary judgement by U. S. District Judge J. Skelly Wright in May 1960, were argued last week before a three-judge special panel which included Appellate Judges Elbert R. Tuttle, Atlanta, Ga., chief judge and Warren L. Jones, Jacksonville, Fla. and District Judge Sidney L. Mize, Biloxi, Miss.

Judge Wright had ordered the appellant school boards and trade schools to admit Negroes to the previously all-white institutions and to desegregate "with all deliberate speed."

The desegregation suits against the school boards had been filed in 1952 and the case against the trade schools was filed in 1956.

La. Atty. General Jack P. F. Gremillion appeared for the two parish school systems and the trade schools, however, principal arguments were handled by his assistant, William P. Schuler.

Attorney A. P. Tureaud, appearing in behalf of the Negro plaintiffs, said the state appeal in the St. Helena case was "frivolous."

He said it cannot be contended that the school system is not operated on a racially segregated basis.

St. Helena Parish District Atty. Duncan Kemp argued that violence could result in St. Helena Parish if integration were ordered. White children may be subjected to violence if schools are desegregated, he argued, because of racial conditions in the rural area where 1,820 Negroes and 1,070 whites are housed in public schools.

The East Baton Rouge Parish school suit involves 81 schools and 28,353 white students and 18,081 Negro students.

Arguing on the issues of the trade schools, Schuler denied that Negroes had been refused enrollment because of their race.

Attorney Tureaud contended, "The acts creating trade schools in Louisiana, everyone of them, say the schools are created for whites."

He said that Negroes denied admission when they applied at the schools were told, "we can't take colored."

One of the principal arguments of the state was based on the fact that there is a state law prohibiting state boards or agencies from being sued unless the state grants permission.

Tureaud pointed out, however, that the suits were filed before the state law was enacted.

Gremillion, who was found in contempt late last year because of his behavior in federal court during an August hearing on school desegregation, was quoted on warning East Baton Rouge and St. Helena Parishes two weeks before last week's hearing that they could expect an unfavorable ruling.

At the conclusion of the arguments, the three-judge panel took the appeals under advisement but did not indicate when it would hand down a ruling.

Court of Appeals Ponders Louisiana School Integration

The Pittsburgh Courier
Pittsburgh, Pa.
Jan 1-28-61

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Integrated New Orleans Schools' Attendance Up

The Atlanta Journal

NEW ORLEANS, Oct. 7 (AP)—New Orleans ended the first month of its second year of school integration Saturday with peace reigning, a year-long boycott smashed and over-all attendance rising at six desegregated schools.

Prospects are good that enrollment will continue increasing at the six schools, Supt. O. Perry Walker said. Twelve Negroes have broken century-old segregation barriers.

Crowds picketed and teen-agers rioted last year following integration of two elementary schools—the first in Louisiana. This year calm prevailed when four more New Orleans schools were desegregated Sept. 7.

Atlanta, Ga.

SCHOOL OFFICIALS saw these factors chiefly responsible for the changed atmosphere:

1. A no-nonsense police plan in contrast to what some quarters charged with "timid and half-hearted measures" a year ago.
2. Community realization that a fiery state legislature lacked power to preserve segregation.
3. Examples of quiet desegregation at Atlanta and Dallas.
4. Publicizing names of integrated schools in advance so parents could make plans to send their children to private schools if they wished.

Still, bitterness remains among hard-core segregationists. Despite the outward acceptance of segregation, they feel no more disposed to acceptance.

Total white attendance has fallen off more than one half at the integrated schools from preintegration enrollment.

Nevertheless, the first month of school has seen attendance climb 20 per cent.

At McDonogh No. 19—where a white boycott began after three Negroes attended Nov. 14, 1960—10 white children are now enrolled. The boycott ended when school started last month.

* * *

MOST OF McDONOGH'S 500 white chidlren have transferred to segregated schools in adjoining St. Bernard Parish (County). New Orleans School Board President Louis Riecke thinks many may return if a government suit to block the exodus is successful.

At William Frantz—where one Negro girl has been admitted—only an average of 12 white pupils of nearly 500 continued going last year.

This year white attendance swelled from 16 when school started to 66 at the close of the first month.

Two Frantz mothers wrote letters to other parents to try to persuade them to return their children. School Board Vice President Theodore Shepard said he expects Frantz attendance to rise to 100 this month and to 300 by the end of the year.

New Orleans Bows Quietly, Accepts School Integration

Advertiser-Journal 7-4-61

Sen 10-8-61

NEW ORLEANS (AP) — New Orleans ended the first month of its second year of school integration Saturday with peace reigning, a year-long boycott smashed and over-all attendance rising at six desegregated schools.

Montgomery Ala.

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14d(1) 1961

AUGUST

LOUISIANA

integration Struggle

Orleans School Dispute Flares

Special to The Christian Science Monitor

New Orleans

Simmering for months while opposing sides marshaled their forces, the explosive school integration issue has boiled over.

In rapid succession:

- A special three-judge federal court in a precedent-setting case held oral arguments and took under advisement the far-reaching question as to whether a state has a constitutional duty to provide public education.
- The hard-pressed Orleans Parish School Board, torn by internal friction and tormented by the State Legislature, announced the planned integration of four more elementary schools in September and admission of "less than 10" Negroes to heretofore all-white schools.
- In a surprise move by the Legislature—quiescent for several months—its School Committee, served notice it has no intention of letting up on the school board. The group, consisting of key administration stalwarts, announced it would probe activities of the board and status of the school system in New Orleans.
- As spectators sang "Dixie," ground was broken for the Ninth Ward private school to cost in excess of $250,000 when completed. The school, scheduled to open on a limited basis in January, is expected ultimately to absorb the some 1,000 students who boycotted the two schools integrated last year—McDonogh 19 and William Frantz. A group of segregation-minded citizens from the Ninth Ward—a modest working class district in the city—spearheaded the project.

Local Option Near End?

No decision in the highly significant school case is expected from the federal court judges before mid-August, since they have granted attorneys 10 days from Aug. 4 in which to submit additional briefs.

Informed observers are convinced that the judges will overthrow Louisiana's local option law, which permits each parish school board to conduct elections on the question as to whether that parish's school shall remain open on an integrated basis, or closed.

First in the state to invoke the statute was the Parish of St. Helena, near Baton Rouge. Its citizens voted overwhelmingly to close the schools rather than submit to integration.

Specifically, last week's hearing was on whether the states are required to maintain public school systems under the due process and equal protection clauses of the Constitution. The question was raised by the pro-integrationist National Association for the Advancement of Colored People which brought the suit to have Louisiana's local option school closing law stricken from the books. The St. Helena case was the peg on which the NAACP brought the action.

Opposing Sides

Joining forces with NAACP attorneys was the United States Department of Justice, which intervened as a " friend of the court." In opposition was a battery of lawyers headed by Louisiana's Attorney General Jack P. F. Gremillion, an unremitting foe of integration.

Mr. Gremillion argued that the state maintains a policy to educate all citizens through sovereignty and not because of any mandate imposed by the United States Constitution. His contention was that even though certain schools are closed through effect on local option, the state grant-in-aid program would subsidize pupils who seek an education in private schools.

An extraordinary aspect of the case was the request of the judges that attorneys-general in all of the 50 states submit briefs to aid the court in determining the precedent-shattering question of whether or not a state can constitutionally cease operating the public schools.

Some 28 attorneys-general responded. In the main, the Southern states supported the Louisiana law, while those outside the South summarily rejected it.

Defying High Court?

The NAACP and Justice Department attorneys bore down on the contention that the school closing law is merely another attempt to frustrate the court's integration orders and would be a continued attempt to deny rights which have already been adjudicated by the court. (The city's school integration, initiated last September, stemmed from a federal court order to integrate its public schools at the rate of one grade a year.)

Internal Friction

The Orleans Parish School Board flareup was touched off by action of a maverick member, Emile Wagner, who walked out last year and had not attended a board meeting since.

Mr. Wagner, only arch-segregationist on the board, released the names of eight schools he said were under consideration for integration. He defended his position on the ground that the public had a right to know, so that parents could make arrangements to send their children to segregated schools.

His action touched off an angry blast from Louis G. Riecke, Jr., board president, who called an emergency session of the board and denounced Mr. Wagner's disclosure as "composed of half-truths, innuendo, and falsifications."

At the board meeting, it was officially announced that four schools would be segregated this September, which, with the two integrated last year, would bring to six the number of formerly all-white schools with Negro students. The four to be integrated—all elementary—are Judah P. Benjamin, Robert Lusher, McDonogh 11, and Andrew H. Wilson.

State Can Legally Close Schools, Cook Contends

Georgian Files Brief in St. Helena Case

Two briefs on file in federal district court Saturday contend that a state may close its public schools without violating the Constitution of the United States.

They were filed in connection with the St. Helena parish school segregation case.

On Monday the parish's public schools will open for the fall term, still public and still segregated.

St. Helena school Supt. J. L. Meadows said he expected the parish's 1200 white students and 1400 Negro students will begin classes quietly in the four white and nine Negro public schools.

A three-judge federal panel has under advisement the question of whether, under the Constitution, a state must provide public education.

COOK FILES BRIEF

One brief was filed by Eugene Cook, attorney-general of Georgia, as a "friend of the court," in which he stated:

"The Fourteenth Amendment declares persons equal only before the law; it does not legislate social equality, brotherly love, or establish the racial theories of the NAACP as the law of the land."

Said Cook's brief: ". . . Negro students are not the only ones whose rights are at stake here. It is one thing for the law to tell Negroes that they cannot attend public schools with white students, where such schools are provided.

'SOMETHING DIFFERENT'

"On the other hand, it is entirely something different for the law to tell the white students that they must attend public schools with Negroes.

"In short, this court cannot assume that the purpose of school closing is motivated by any desire to injure the Negro, where there is a reasonable basis for saying that the closing is to prevent injury to both races through forced association."

The second brief on file was prepared by W. Scott Wilkinson, special assistant attorney-general of Louisiana, in behalf of defendants in the case, the St. Helena parish school board.

The board, taking advantage of a recently enacted local option law, called an election to decide if the school board, under federal orders to desegregate the schools, should stay open and desegregate or be closed. The vote was overwhelming for closing them.

'UNSUPPORTED' VIEW

The Wilkinson brief contends that the plaintiff's charge of discrimination is "unsupported." The brief states:

"The only possible excuse for the charge rests on counsel's unjustified and unsupported speculation that a system of private schools will in some way favor one group over another — a theoretical conjecture that neither counsel nor the court has any right to use as a pretext for an injunction."

The brief stated that "shorn of all speculative theories and violent assumption," what the government is saying is that education is "essential to the national welfare, that the federal government has extended aid to the public schools of the nation and that the United States therefore has a power of regulation and control over the schools, at least a veto power over any radical change in the processes of education."

'MATTER FOR CONGRESS'

The Wilkinson brief said there is no legal or constitutional basis for such a position, "but even if there were, the exercise of federal policy would be a matter for Congress and not for the courts."

Wilkinson's brief concluded with this:

"It is our Republican form of government — the recognition of the dual sovereignties of the states and the nation, and the separation of powers between the three great departments of government — that have made America great. But the constant gnawing away at the bastion upon which it stands can crumple the mightiest stronghold and fell the greatest nation that ever existed. There are no exceptions and American constitutional government is not immune.

"No court has yet ruled that a state may not permit the closing of all schools in any district, whenever the people consider such action to the best interests of their society. This court surely will not readily entertain the idea of achieving such a dubious distinction."

The Georgia attorney general stated in his brief that there could be no discrimination in St. Helena's local option election. Regardless of the result of the election, all persons "are thereafter treated alike without respect to their race," open or closed.

The panel of federal judges heard oral arguments in the St. Helena case on Aug. 4. There was discussion then of the tie-in of tuition grants to a school closing.

Both briefs filed in the case contended that the state's grants-in-aid program to students of the state is in no way violative of the constitution.

Integration Fight Looms in New Orleans

By O. C. W. TAYLOR

NEW ORLEANS.—(ANP)—This city where live the blackest white folk and the whitest black folk, is about to become again the focal point of school desegregation.

Freedom Riders have made this their jumping off point for assault on Jim Crow in Mississippi. Now with schools about to re-open, the old desegregation problem returns to the spotlight.

Last week a blind woman from New York state and two Negroes, one a young man and the other a young woman, broke the segregation line in New Orleans' railroad terminal station. They ate in both white and Negro restaurants and were not molested by police. The blind woman and her companions had done the same thing in Jackson. Police evidently thought it might bring sympathy for freedom riders were a blind woman arrested on such charges.

They did, however, arrest her and her companions in New Orleans on another charge. This one was distributing pamphlets without police permission. The blind woman was Mrs. Norma Wagner of Rochester, N. Y.

The New Orleans school board, using the pupil placement plan, has come up with the names of 10 Negro children they were unable to screen out and say they will admit these to four more heretofore all-white schools. The local NAACP says the number of Negroes "permitted" to enter unsegregated schools is too few. As a consequence, federal court will hear arguments on August 21 as to validity of the pupil placement law and will decide on complete integration in the public schools here.

The New Orleans mayor and the chief of police both declare that the troubles which plagued New Orleans last September when two schools received four Negro students, will not occur again. They say they plan to keep the peace regardless of their personal opinions regarding integration.

Complaints were made last year that the two schools selected for token integration were in the areas where the poorest and least educated whites live. This, they say, caused the greatest opposition.

This year the six schools selected for token integration are in scattered areas of the city, one in the Tulane university sertion and others in areas not considered substandard.

New Orleans is a thoroughly racially mixed city. Many Negroes, passing for white, are already in so-called "white" schools.

14d(1) 1961 LOUISIANA AUGUST
NEW ORLEANS

Defiance Will Prove Very Costly

Welfare Program Must Conform With Goverment Policy

NEW ORLEANS — (ANP) —Unless Louisiana conforms to federal requirements, the state's aid - to - dependent children program faces loss of $21,000,000 in U. S. funds.

This comes as a new threat in the Louisiana ADC program since the state restored to its massive welfare roles more that 60 per cent of the 22,650 children cut off from funds last year under a new state law. Some of the protests which followed the Louisiana move were eased after the children, an estimated 95 per cent of whom are Negro, were returned to the roles.

MOST OF the children affected by the new law are Negro, and one of the organizations strongly protesting the withdrawal of aid was the National Urban League.

Many Negro leaders, not only in this state but across the nation, felt the action was taken to strike back at Negroes in the Louisiana segregation battle.

FEDERAL requirements rule out the "suitable home" aspect of state law, under which the 22,650 children were purged last August. But Louisiana got a breathing spell in which to comply when the present Congress gave it until September, 1962, to conform. Earlier, under the Eisenhower administration, the state was scheduled to be cut off from the federal grant for non - compliance with its terms last July 1.

Loss of the federal aid would be catastrophic, since of some $29,000,000 earmarked for the state's ADC program, all but $8,000,000 stems from federal funds.

THE LAW, enacted last summer by the Legislature with a torrent of segregation legislation, calls for discontinuance of payments to families where the mother has had an illegitimate child after receiving public welfare assistance.

In addition, it prohibits payments to families in which welfare recipients live with members of the opposite sex without being legally married. And it stops grants to families in homes considered improper environments for raising children properly.

BACKER OF the far - reaching law have denied vehemently that it was linked with the great mass of segregation measures which cascaded from the legislature last year in an effort to thwart federally-ordered school integration. An estimated 95 per cent of those dropped from the rolls were Negroes.

The law itself offers a certain flexibility which allowed a large degree of discretion on the part of parish welfare boards. But critics have branded it as ambiguous, and blame a ruling by the state Attorney General Jack P. F. Gremillion for the sweeping nature of the purge.

GREMILLION decreed that the law be applied retroactively to parents who have born illeitimate children. Thus the 22,650 orginally affected were themselves illegimate, or children whose mother had borne one or more illegitimates.

The grants range from $72 monthly for a single child to a maximum $155 for six or more children.

RESTORATIONS were effected under the "suitable homes" phase of the law. Where former recipients could show that they were maintining the proper environment for their children, they were returned to the rolls, irrespective of whether one or more of the children were illegitimate.

Welfare officials have not expalined this apparent inconsistency: If parents of illgeitimate children were and are indeed ineligible to receive grants under the attorney-general's ruling, why the mass restorations? The yard stick applied in these cases was not legitimacy or illegitimacy, such, but simply the suitable homes provision.

MRS. MARY Evelyn Parker, state welfare commissioner said: "You can say that in this exceediy complex situation, we are working within the framework of thee state law. We are not trying to circumvent it."

She pointed out that some 75,000 children were recipients of the program, leaving more than 50,000 who were unaffected by the original purge or restorations. But all would be seriously affected should the federal government withdraw from the program.

MRS. PARKER explained that Louisiana, together with Mississippi, was granted until September, 1962, to comply because legislatures of the two states have no regular sessions scheduled before next year.

Just what the Legislature intends to do about the matter is not clear. The ADC controversy has been relegated into the background by the imminency of the school segregation issue.

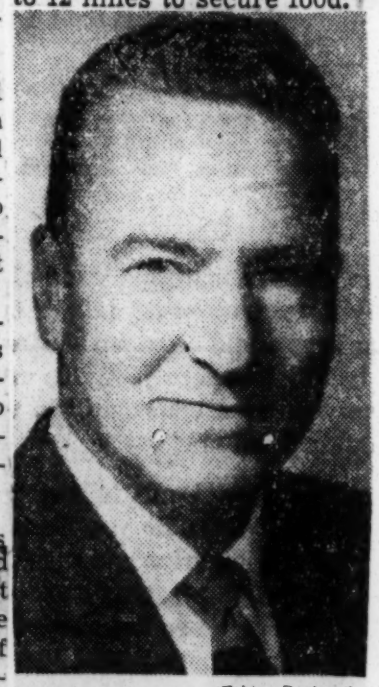
IN RECENT months news media have repeatedly quoted Mrs. Parker to the effect that only about 4,500 children of the 22,650 dropped still remain off the rolls. But Mrs. Parker asserts that the figure was in error — that it was about twice that. She said the miscalucalation arose from her statement to the press that about 80 per cent had been restored to the rolls. "I meant 80 per cent of those who had applied for reinstatement," she declared. "Some 20 percent of those purged never reapplied."

Proponents and critics of the welfare purge agreed that when it went into action last August it brought about severe hardship in many instances. They disagreed as to its extent.

"WE ARE aware that it caused extreme hardship and suffering," said Miss Lillie H. Narne, Orleans parish welfare director. "But there was no starvation."

This assessment was contradicted by spokesman for the Urban League. Said J. Harvey erns, executive director of the Urban League of Greater New Orleans which has been the focal point of national and international contributions for dispossessed welfare recipients:

"In New Orleans and elsewhere, the situation was so desperate that children were scavenging in the streets and garbage cans for scraps of food. Mothers with their broods of hungry children, were reported walking distances up to 12 miles to secure food."



Fabian Bachrach

WEIGHS STUDENT AID: Philip H. Coombs, an Assistant Secretary of State, is concerned over African students' need of money.

New Orleans Hopes Rise For 2d Year of Integration

The New York Times
P. 1 Sun. 8-20-61
New York N.Y.

By RICHARD H. PARKE
Special to The New York Times.

NEW ORLEANS, Aug. 19—This city's public schools will open soon for their second year of marginal desegregation. Meanwhile, there is hope—but only hope—that last year's disorders will not be repeated.

There is no certainty that the demonstrations will not be renewed but if they are, present signs indicate, they will be kept to a minimum.

The Orleans Parish (County) School Board has announced that fewer than ten Negro pupils will be admitted next month to the first grades of previously all-white schools.

The new pupils will be in addition to the four Negro girls who defied a white boycott and segregationist picketing last year at McDonogh No. 19 and William Frantz Schools.

These children, who were in the first grade last year, are expected to return to the same schools this year.

The five-member school board has chosen four more schools for acceptance of Negro children under its grade-a-year integration program. This program was ordered into effect May 16, 1960, by Federal District Judge J. Skelly Wright.

Opening Set Sept. 7

The city's 118 public schools will open on Sept. 7. However, in accordance with the integration program, the Negro pupils will not begin their classes until Sept. 18.

As the deadline approaches, what hopes there are for an avoidance of last year's outbreaks rest, somewhat tenuously, on the following major factors:

¶The four schools that have been added to the original two are widely separated. For the most part they are in or adjacent to neighborhoods made up of substantial, law-abiding citizens.

The School Board has received relatively few protests from white parents or requests for pupil transfers since it announced the addition of the four schools.

¶The Louisiana Legislature, which many believe helped to ignite the fires of hate and discontent here last year, is not in session. There are ,however, recurrent rumors that Gov. Jimmie H. Davis will call a special session timed for the opening of the new school year.

There is a growing demand, not yet fully articulated publicly, for strong leadership to condition the city's residents to the new order of race relations in their schools.

Important segments of the business community are known to be concerned that the city's economy may be affected seriously if further disturbance occur. It is conceded that tourist trade is off. It is understood also that several out-of-state industries are considering whether to locate here.

The new Mayor, Victor H. Schiro, has pledged to maintain law and order and has been meeting privately with a group of business men. But neither he nor the group has made known any plans. Mr. Schiro is filling the unexpired term of former Mayor deLesseps S. Morrison, who was recently named United States Ambassador to the Organization of American States.

Mrs. H. N. Sand, president of Save Our Schools is among the few who have publicly urged concerted civic action. She formed the organization last fall to drive the few while children who were attending the William Frantz School. Other white pupils boycotted William Frantz and no while children attended McDonogh No. 19.

Calls for Guidance

"We must have some guidance from the top," Mrs. Sand said today. "Ninety-five per cent of the people of New Orleans don't want a repetition of what happened last year. But I'm afraid the people who are silent will remain silent."

She said her organization, with 2,200 members, was ready to resume its activities if needed.

J. Harvey Kerns, executive director of the Urban League of Greater New Orleans, said he was sure that "it won't be the same as last year." Mr. Kerns, a Negro, added:

"I think we have secured the more active cooperation of business and industrial interests. It's not because they are interested in integration as such but in the unfavorable image that last year's disorders cast on the city."

The pro-segregation forces are being led this year, as last, by Leander H. Perez, former District Attorney of near-by St. Bernard and Plaquemines Parishes. Mr. Perez, a leader in the forming of White Citizens Councils, is known as the political boss of Plaquemines Parish.

Sitting behind a massive desk on which a miniature Civil War cannon was prominently displayed, he held out no hope for a peaceful solution of the school problem.

"The integration movement," he said, "is a Communist conspiracy backed by misguided Federal politicians. But the schemes of the Communists and fellow travelers are proceeding slowly in comparison with public resistance."

Mr. Perez issues frequent statements to the press. When the school board announced the addition of the four new schools, he predicted it would be followed by the "usual avalanche of brain-washing propaganda."

Some of the propaganda, his statement said, would emanate from "press releases by rabbis and other 'brotherhood' church people."

The city's Superintendent of Schools, O. Perry Walker, said he expected no trouble. Mr. Walker has succeeded Dr. James F. Redmond, who resigned recently to enter private industry. Mr. Walker was Dr. Redmond's deputy last year.

Rejects Transfer

The 31-year-old principal of McDonogh No. 19, John A. Stewart, turned down a chance to transfer to another school this fall.

"As it stands now," Mr. Stewart said, "we'll open the doors and see what happens."

Twelve of the fifteen teachers at McDonogh say they will be back and seventeen or eighteen plan to return to William Frantz.

There is no plan to desegregate any of the city's Roman Catholic schools this year, according to Msgr. Henry C. Bezou, superintendent for the archdiocese. He recalled that Archbishop Joseph Rummel had announced on Nov. 12, 1960, that the church's schools would not act until integration had been carried out "effectively" in the public schools.

Louisiana Laws Rapped By U.S.

Informer Acts Branded As Evil, But State Official Has An Answer

By The Associated Press

NEW ORLEANS, April 21.—A three-judge Federal court Friday heard the Government brand Louisiana's informer laws as "evil and vicious legislation." It took under advisement a request to ban their enforcement.

Louisiana Atty. Gen. Jack Gremillion called the Government's argument "a bunch of horse junk."

United States Atty. M. Hepburn Many said the two acts merely being on the books "are poised as a sword over the heads of those attending (integrated) schools."

Part Of Series

They are part of a series of "massive reprisals" that have brought sharp pressures against those who persist in going to New Orleans two integrated schools, Many said.

But Gremillion argued that the Government was going too far in presuming the acts illegal even before they were enforced.

"If we don't stop and go back to the law, before long this court is going to be running the Legislature of Louisiana," Gremillion warned.

The two acts impose penalties on persons breaking state segregation laws by helping parents or teachers at integrated schools. The laws reward and protect informers.

A temporary restraining order now prevents their enforcement.

Three Hearing Case

Hearing the case were Judge Richard T. Rives of the United States Fifth Circuit Court of Appeals and United States District Judges Herbert W. Christenberry and J. Skelly Wright.

Many said a total white boycott is under way at integrated McDonogh No. 19 School. Less than 20 white children go to integrated William Frantz School.

The real reasons that have held down white attendance, Many said, are economic reprisals, telephone calls, reprisals of children against children, and other community pressures.

LOUISIANA

14d(1) 1961

School Closing Still Pending In Louisiana

The Christian Science Monitor
Boston, Mass. p. 4
Nov. 4-24-61

Special to The Christian Science Monitor

Greensburg, La.

Voters in Louisiana's St. Helena Parish (county) have overwhelmingly authorized the parish school board under a new state act to abolish public schools and put school buildings up for sale as surplus property to evade court-ordered integration.

Complete returns in the Saturday vote in this southeast Louisiana parish showed 1,147 votes for school closure and only 56 against.

The election was called after a federal court ordered integration of the public schools in St. Helena and East Baton Rouge Parishes, but set no date for such desegregation.

J. L. Meadows, superintendent of schools, said, "I think if the courts force integration there will be a complete boycott like at McDonough No. 19 (in New Orleans) and will result in destruction of public education for the white people.

Authorized—Not Required

Under the new law—Act 2 of the second extra session of the Legislature—the six-man parish schoolboard would be authorized, not required, to close the four white and nine Negro public schools.

St. Helena is a rural, sparsely-settled parish of some 9,000 population about 50 miles northeast of the state capital of Baton Rouge and near the Louisiana-Mississippi border.

Orleans is the only other Louisiana parish in which schools have been ordered desegregated. The Orleans court-ordered plan called for desegregation of the first grade for the 1960-61 session, and thereafter a grade a year.

Prior to the vote, a "white parents" rally at the Greensburg high school (the parish seat) brought forth denunciations of integrated schools by such segregationists as Leander H. Perez and state Representative Risley C. Triche, House leader for Gov. James H. Davis.

Only One Side

Speakers urged a lop-sided vote favoring closure, and there was none to advocate the other side of the question. The meeting had a quasi-official status, since it was promoted by the parish school superintendent.

Only 1,572 voters registered for the election, of which 111 were Negroes. This contrasts markedly with a registration of 3,721 when the rolls were wiped clean, of which 2,478 were white and 1,243 Negroes. There are 900 white public school students in St. Helena, and 1,400 Negroes.

Cleansing of the rolls and new registration are required under state law every four years.

The meager registration for this election—especially the insignificant number of registered Negroes—was explained by state Attorney General Jack P. F. Gremillion as due to "sheer apathy on the part of the voters."

Recently agents of the federal Justice Department inspected the St. Helena parish voter records for signs of possible discrimination against Negroes, but have given no inkling of their next move—if any.

Assurance by Attorneys

The way was cleared last week for Saturday's referendum to be held when a three-judge federal court in New Orleans authorized it. The court did so only upon assurance by attorneys for the St. Helena School Board that no action would be taken to close public schools of the parish regardless of the outcome of Saturday's election, pending the court's decision on validity of the state act under which it was called.

A hearing was conducted by the three-judge court at that time on a suit filed by the National Association for the Advancement of Colored People on behalf of a group of St. Helena Negroes. They seek to have the Act declared unconstitutional.

At the conclusion of the hearing, the court issued an opinion in which it delayed action in the NAACP suit pending filing of additional briefs on certain constitutional questions.

Briefs to Be Filed

The court ordered St. Helena School Board attorneys, the Negro plaintiffs, and the United States Department of Justice as amicus curiae (friend of the court) to file by May 5 briefs on the following constitutional questions:

1. Does the act violate the due process clause of the 14th Amendment by depriving children of the opportunity to obtain public school education?

2. Is a statute constitutional that in effect, offers children (1) education on an unconstitutional condition, that is, attendance at a segregated school, or (2) no education at all?

The court also pointed out that it is cognizant of state grant-in-aid education, but questioned whether grant-in-aid is an adequate constitutional substitute for public school education, particularly where such aid will, in all probability, result in segregated private schools. The court requested that consideration also be given to this question in the briefs.

Election—Initial Step

The court held that Saturday's election has a bearing on the case only as the initial step under Act 2 leading to the closing of the schools.

If the act is unconstitutional, the defendants may be enjoined from carrying out provisions of the law, the court held.

"We have an open mind on the constitutionality of the statute," noted the court. "We point out, however, that national policy and state policy require us to scrutinize carefully any statute leading to the closing of public schools.

"When there is now such a manifest correlation between education and national survival, it is a sad and ill-timed hour to shut the door to public schools. And now, when one of the principal functions of the state is to maintain an educational system, it seems strange indeed and anticivilized to shift the major financial burden to private persons, many of whom cannot afford, or can ill afford, to pay for private schooling, even with the benefits of a grant-in-aid.

No Stipulation

Thurgood Marshall, NAACP attorney, at one point offered to withdraw the suit if school board attorneys would stipulate that they do not intend to close the schools.

Attorney General Gremillion, speaking for the attorneys, retorted heatedly: "I will make no such stipulation."

Carl Stone of Greensburg, president of the St. Helena Parish School Board, denied that the board had any part in the "white public meeting" at Greensburg high school. But parish School Superintendent Meadows readily admitted he had called the meeting without consulting the board.

Legal circles in New Orleans are of the opinion that the three-judge court will declare Act 2 unconstitutional, and thus prevent the St. Helena School Board from closing the public schools or disposing of the property.

Meanwhile, the two elementary schools desegregated in New Orleans continue to struggle along—the one with no white pupils and three Negroes, the other with one Negro and a fluctuating total of seven or eight whites.

Louisiana Parish Would Give Up Public Schools

The Call Kansas City, Mo.
Nov. 4-25-61

GREENSBURG, La. — (UPI) — Tiny St. Helena parish (county), whose population is 55 percent Negro but whose registered voters are 93 per cent white, held Louisiana's first "local option" school election over the week-end and voted overwhelmingly to abandon public education.

But the parish school board earlier promised a federal court it would postpone any action under a new state law authorizing local option elections and closing of public schools ordered desegregated by federal courts.

The board said it would take no action until the court, considering an NAACP suit to have the law declared unconstitutional, had ruled in the case.

The vote Saturday was 1,147 to 57 in favor of closing public schools in the parish. Only four Negroes out of 111 registered were reported to have voted.

The court raised the question of whether, under due process provisions of the constitution, a state could deprive children of a public education. The court asked for briefs by May 5 and said it would rule as soon as possible thereafter.

But Louisiana Attorney General Jack Gremillion asked the attorney general of all the other 49 states to intervene as "friends of the court" and file briefs "regardless of whether they favor integration, segregation or otherwise."

The court extended the deadline for filing briefs until June 5 to allow time for briefs other states may wish to submit. Gremillion said the issue in question is of paramount importance to all states.

"Because if it is mandatory that states have got to provide public education, then what would prevent the federal government from dictating the control and the policy of every other welfare, social and education program," Gremillion declared.

No further hearings were scheduled on the case. But sources in the state capital, Baton Rouge, reported a request for oral arguments before the court in New Orleans was probable.

Local option being tried in Louisiana

The Birmingham News
Birmingham, Ala.
Nov. 4-22-61

GREENSBURG, La., April 22—(AP)—Voters of St. Helena Parish Saturday will decide whether they want to close their 13 public schools to keep from having to desegregate them.

One voter in this tiny parish seat predicted the proposal to close the nine Negro and four white schools would get the biggest majority ever recorded in the rural parish of 9162 population. Others seemed to agree.

The polls were open from 6 a.m. (CST) to 8 p.m .

The election was little more than a straw poll. The school board, under the new Louisiana law allowing local option public education, is not obligated to follow the wishes of the voters.

Anyhow, the school board promised a special three-judge federal court at New Orleans it would take no action before a May 5 hearing regardless of the outcome.

La

NEGROES, WHO have been in court nine years trying to break down segregation barriers in St. Helena schools, challenged the constitutionality of the school closure law, passed during a special session of the Legislature.

If the schools should be closed, barring a contrary order from the court, it would leave 1821 Negro and 1021 white pupils without educational facilities.

But another new law, providing grants in aid to private school pupils, would allow citizens to provide their own facilities. Purchase of the public school buildings, declared surplus, would be a possibility.

Unofficial estimates set the white population of the parish at 4510 and non-white at 5709.

States Polled on School Closing

NEW ORLEANS, April 26 (AP) — In a ruling handed down here today, a three-judge Federal Court invited the top legal officers of all 50 states to express their views on abandonment of public schools by a state.

The special panel, headed by Appeals Court Judge John Minor Wisdom, yesterday directed that the attorneys general of the 50 states be polled concerning a Louisiana school-desegregation case.

The step is believed to be unprecedented.

The tribunal asked for friend-of-the-court briefs from the state officials in answer to two questions:

1. Would the abandonment of a state's public school system deprive children of rights guaranteed by the Fourteenth Amendment's due-process or equal-protection clauses?

2. Would the answer be the same if the abandonment were on a local-option basis after a vote of the electorate authorizing county school authorities to close public schools?

The action is in connection with a National Association for the Advancement of Colored People suit attacking the constitutionality of a 1961 Louisiana law that permits local-option referendums on whether voters want closed or desegregated schools. The law allows school boards to take such action.

The NAACP suit was filed on behalf of a group of Negroes in tiny St. Helena Parish (county), which voted overwhelmingly last Saturday to close its schools.

Before the election, the Parish School Board promised the Federal Court it would take no action pending the decision in the suit.

The tribunal, which also includes U. S. District Judges J. Skelly Wright and Herbert W. Christenberry, gave no explanation for ordering the poll of of attorneys general. They did not indicate how the answers would affect their decision.

Meanwhile, Louisiana Attorney General Jack Gremillion said last night that the state's battle against desegregation hinges on the St. Helena case.

"If that court says it is a violation of the due-process clause of the Fourteenth Amendment (to close public schools), then I would say that the Legislature has very little recourse, if any, and the Federal Courts have taken over operation of the schools," he said on a televised news panel program in New Orleans.

The state offical also said he expected no additional special sessions of the Louisiana Legislature to battle desegregation.

LOUISIANANS VOTE TO CLOSE SCHOOLS

St. Helena Parish Refuses to Integrate the System

GREENSBURG, La., April 23 (UPI) — St. Helena Parish (County) voted overwhelmingly yesterday to close the public schools rather than integrate them.

The vote was 1,141 to 57. Only four of the 4,700 Negroes living in the rural county were reported to have showed up at the polls for the first referendum under the state's local-option law.

The vote gives the St. Helena Parish school board the right to close the public schools. It also makes parish students eligible for individual education grants from the state for use in private schools.

However, the school board has promised not to close the schools before a Federal Court in New Orleans rules on the constitutionality of the law.

The questio nof constitutionality has been raised by Negroes. Judge John Minor Wisdom, of the United States Court of Appeals for the Fifth Circuit, has not set a date for his ruling.

But some of the questions the jurist asked at a preliminary hearing on the election earlier this month indicate that the law might be considered unconstitutional.



The New York Times April 24, 1961
FIGHTS INTEGRATION: Cross-hatched area is St. Helena Parish in Louisiana.

Far-Reaching Questions

Judge Wisdom asked whether a child had "a right" to an education and whether the closing of public schools would interfere with that right.

The Louisiana Attorney General, Jack P. F. Gremillion, said that Judge Wisdom's questions, if answered affirmatively by the Federal court, would have more far-reaching effect than the Supreme Court decision of 1954 calling for an end to school segregation.

Mr. Gremillion said that under such a finding the Federal Government would be ordering the individual states to operate public schools and telling them how to operate them.

Critics of the local-option law say that it provides no choice for individual parishes because they risk losing state school funds if they vote to integrate public schools rather than close them.

St. Helena gets about 96 per cent of its school funds from the state.

The election yesterday was reported to have been one of the smoothest ever conducted in St. Helena, where Negroes slightly outnumber whites in a population of 9,000.

BRIEFS INVITED IN SCHOOL CASE

Questions Put to All Attorneys General

A special three-judge federal court Tuesday invited attorneys general of all states in the Union to file friends-of-the-court briefs covering the following questions:

"1. Would the abandonment by a state of its public school system deprive children of rights guaranteed by the due process or equal protection clauses of the Fourteenth Amendment?

"2. Would the answer be the same if the abandonment were on a local option basis after a vote of the electorate authorizing county school authorities to close the public schools?"

The panel — U. S. Circuit Judge John Minor Wisdom and U. S. District Judges Herbert J. Christenberry and J. Skelly Wright — ordered the clerk of federal district court to poll the states.

The clerk was ordered to send certified copies of the order containing the two questions to the "attorney general of each state of the Union."

The order invites them to file "a brief amicus."

The move came as a development in a suit filed by the National Association for the Advancement of Colored People on behalf of a group of St. Helena parish Negroes who seek to have Act 2 of the second session of the Louisiana Legislature declared unconstitutional.

The St. Helena parish school board called a special election for last Saturday under terms of the act to give parish voters a chance to express a preference between closed or integrated public schools. The parish schools have been ordered desegregated by the federal court, but no date was set for the desegregation.

Parish voters overwhelmingly favored closing the public schools in Saturday's election.

However, school board attorneys had promised the federal court before the election that no action would be taken to close schools, regardless of the election outcome, pending the court's decision in the suit attacking the validity of Act 2.

In its order Tuesday, the federal judge panel said it found that the NAACP suit "raises serious constitutional questions."

The judges offered no explanation for polling the state attorneys general and did not indicate what would be the poll's effect on their decision.

Louisiana Parish Votes School Closing If Needed

GREENSBURG, La., April 23 (UPI) — St. Helena Parish, which voted overwhelmingly yesterday to sacrifice public schools rather than give up segregation, waited today to see if a Federal court would allow them to carry out that choice.

With only four of 4700 Negroes reportedly showing up at the polls, this rural parish voted 1147 to 57 to close public schools.

The vote, by state law at least, gives the St. Helena Parish School Board the right to close public schools and makes parish students eligible for individual education grants from the state for use in private schools.

However, the school board has promised not to close the schools before a Federal court in New Orleans rules on the constitutionality of such a closure.

Negroes have challenged the state law which permits closing public schools and Judge John Minor Wisdom of the U. S. Fifth Circuit court has asked questions about the law which indicate it might be considered unconstitutional.

St. Helena Votes To Close Schools

GREENSBURG, La. -- St. Helena Parish on Saturday earned for itself the distinction of being the first Louisiana political subdivision to authorize the closing of public schools to prevent integration. The population of the parish is estimated at 5,709 Negroes and 4,510 whites.

The election, provided for under a newly-enacted "local option law," proceeded without incident Saturday, despite a Federal Court hearing held in New Orleans two weeks ago in which the St. Helena Parish School Board agreed to take no action until the "option" law's constitutionality has been settled in the courts.

Under the "local option law" parishes can close down public schools and substitute a system of private schools, operated through education co-operatives and financed through state grants-in-aid for pupils.

Complete but unofficial returns from the six wards in the parish showed an overwhelming 1,147 to 56 vote in support of the school closing proposition on the ballot. This was the first referendum held in Louisiana under the new law.

Official figures showed the total vote registration as 1,572 including 111 Negroes.

In the Federal Court hearing in New Orleans two weeks ago, the school board officials said they would take no immediate action regardless of the outcome of the election. It is pointed out that the St. Helena Parish school term ends May 8 to allow pupils to assist in the strawberry harvest, so no action could have been taken this term.

A Federal Court will hear the case on the constitutionality of the "local option" law in New Orleans on May 5.

Catholic Position On School Integration Appalls Mother

Louisiana Weekly D
Sat 8-12-61

A Catholic mother who desires that her name be withheld made a written statement last week to the Louisiana Weekly deploring the failure of Catholic officials here to integrate parochial schools for the coming term. She describes herself as "A Catholic mother of a prospective priest and two other devout Catholic children."

Her letter states, in part:

"I am a devout Catholic, and I have reared my three children within the realms of the Catholic faith. All three of my children attend Catholic schools. New Orleans

"Until recently, I was confident in my faith, my religion, my priest and my bishop; but now, I am sorry to say my faith has been lessened to a disheartening degree."

Addressing her remarks to Archbishop Joseph Francis Rummell, she wrote further:

"According to my considered judgement and your exact words, Archbishop Rummel, quote: 'Segregation is sinful and morally wrong.' Yet, by your actions [illegible] latest statements, segregation is being condoned and sin is perpetuated.

"I cannot reasonably see why Catholic schools should trail the public schools on so very vital an issue. I feel it is not only 'sinful and morally wrong' but it defies the decision of the Supreme Court, it defies our principles of an unsurpassable government, and it is in direct opposition to our beloved democracy.

"If someone in Catholic authority can give me one good reason why we, as Catholics, should let the public schools set an example for us when public schools have always subjected minority groups to unequal pupil-teacher ratios, platooning, and unsystematized salaries (until the court ordered the school board to equalize salaries), maybe I will regain strength as a Catholic.

"San Antonio, Houston, St. Louis, Galveston, and other Southern cities have stood for what was right. Why can't New Orleans do the same?

"One of my boys is aspiring to become a priest. It has been impossible for me to explain to him effectively why we must follow a 'public school pattern' in our racial situation. Heaven forbid my child's ever succumbing to unfairness to any minority groups!

"In conclusion, I wish to say that even if integration were to materialize in Catholic schools my children would still remain where they are. However, there is a great principle involved. Are we as Catholics sincere in our beliefs and stipulations?

"It is only through constant prayer that I hope to regain the confidence which I once had in the teachings of Catholicism. At present, I am completely incapacitated in ability to explain our motives to non-Catholics. I need help!"

4 More Schools To Integrate In Fall

Louisiana Weekly D
Sat 8-12-61

Public school integration moved into the New Orleans spotlight early this week when the names of four additional schools to be desegregated in September were divulged by Louis G. Riecke, president of the Orleans Parish School Board. New Orleans

The announcement came during a hectic session of the school board Monday, two days after Emile A. Wagner, Jr., an avowed segregationist member of the board, had given the names of eight schools "being considered."

Subsequent developments include the falling through of a reportedly planned NAACP action aimed at considering not pressing a motion to desegregate all New Orleans schools; and meeting here of the Legislature's joint committee on Orleans schools.

SCHOOLS LISTED

School board president Riecke, in announcing the names of the four additional schools to be desegregated this fall, said on Monday that less than 10 of the 66 Negro first grade pupils who had applied "had qualified" for transfer.

Riecke listed the new elementary schools to be desegregated as: Judah P. Benjamin, 4040 Eagle Street; Robert M. Lusher, 1416 Pine Street; McDonogh No. 11, 2009 Palmyra Street, and Andrew H. Wilson, 3617 General Pershing Street.

Riecke also announced that McDonogh 19 at 5909 St. Claude which was attended last year by three Negro pupils, would have additional Negro pupils this year. The William T. Frantz School, 3811 North Galvez St., was not mentioned by Riecke. But School Supt. O. Perry Walker said the lone Negro girl who attended last year would be advanced to the second grade.

NAACP HEARING SET

A move by the NAACP to have all New Orleans schools desegregated next month has been set for a Federal Court hearing at 10 a.m. Monday, Aug. 21.

Plans for a pre-trial conference in which the NAACP reportedly would consider not pressing its motion fell though in the wake of the school board's announcement that "less than 10" Negro first graders had been certified to attend formerly white schools this fall.

STATE GROUP MEETS

The Legislative joint committee on Orleans schools, headed by State Rep. Risley C. Triche, Napoleonville, La., met Friday in the Fontainebleau Motel and set up eight subcommittees to study various phases of the local school board's operations. Areas to be studied include administration of the grant-in-aid program, fiscal affairs, teacher certification, capital outlay, pupil placement, school board elections, school attendance and school curriculum.

Meanwhile, the segregationist Ninth Ward Private School Assocation began work Sunday on its white private school at Japonica and Urquhart Streets. The school is scheduled to go into operation next January.

Armand Duvio, president of the group, presided as the first pile was driven for the structure Sunday. Others present included Lt. Gov. C. C. "Taddy" Aycock, State Sen. William P. Hickey, Jr., Mayor Victor H. Schiro, Leander H. Perez, Sr., assistant district attorney of Plaquemines and St. Bernard Parishes; Councilmen-at-large James A. Comiskey and Theodore "Ted" Hickey, State Rep. Arthur Crais of the Eighth Ward, and George Sould, president of Soule College.



AT ST. HELENA HEARING -- Scenes in the corridor of the U. S. District Court in New Orleans last week following a three-hour hearing on the St. Helena Parish School Board's local option election under Act 2 of the 1961 State Legislature show (1) Attorney A. M. Trudeau emerging from the courtroom with Condy Sartor, local NAACP executive; (2) Atty. A. P. Tureaud conversing with Attorney Jack Nelson and other interested parties; (3) bottom row, Atty. Gen. Jack P. F. Gremillion (back to camera) and others of his staff, and also Rep. Wellborn Jack (with white coat); and (4) U. S. Attorney M. Hepburn Many exchanging greetings with a spectator. (PHOTOS BY PORTER)

High Court Backs La. Desegregation

WASHINGTON—The Supreme Court ended its 1960 session Monday after affirming two lower court decisions in support of school desegregation in New Orleans. This followed a series of similar rulings in the Louisiana school disputes.

The court ended its sessions by deciding such wide ranging issues as Connecticut's birth control law, the "belief in God" oath, and a railway union's use of member dues for political activity.

With the docket cleared by Monday's intensive activity, the court will recess until October when a new term begins.

In the Connecticut case, the court dismissed a challenge to the 92-year-old state law which prohibits the use of contraceptives. Justice Felix Frankfurter said for the majority, that there has never been a criminal prosecution under the law even though the court was told that contraceptives "are commonly and notoriously sold in Connecticut drug stores."

In the Maryland case, the court unanimously struck down a state requirement that a public office holder must sign an oath saying: "I do declare that I believe in the existence of God." Roy R. Torcaso of Wheaton, Md., had been refused a commission as a notary public because he refused to sign the oath.

In the union case, the court ruled that under a union shop contract, a railway worker legally can prevent the spending of his dues for political activity which he opposes. However, the majority said the Georgia State Supreme Court went too far in its decision which invalidated the contract, held that the union shop provision of the Railway Labor Act was unconstitutional and ordered dues refunded to protesting workers.

CHALLENGED BY PHYSICIAN

The Connecticut contraceptive law was challenged by a Yale University physician, Dr. C. Lee Buxton, a married woman patient and a man and wife.

Buxton contended the law prevented him from prescribing birth control devices for the two women to prevent further pregnancy. One had suffered mental and physical impairments as the result of a pregnancy; the other had given birth to three children with congenital abnormalities.

Buxton said the statute restricted him in his practice, thereby depriving him of liberty and property without due process of law. The women, who were not identified by their real names, argued they were deprived of their constitutional guarantee of personal freedom.

Frankfurter, in an opinion shared by three other justices, referred to what he called "the unreality of these lawsuits." He said the law was used only once in a civil case since its passage in 1879. He repeated his dictum that the court should not decide constitutional cases "in advance of the strictest necessity."

Justice John M. Harlan, William O. Douglas, Hugo L. Black and Potter Stewart dissented.

Not Forced From Group, Priest Says

NEW ORLEANS—A Catholic priest denied here last week that he was forced to resign as a trustee of the New Orleans Education Foundation.

The NOEF is a segregationist group formed to combat integration in public schools by supplanting them with a private school system.

The Rev. Father Carl J. Schutten, pastor of St. James major Church, denied that Archbishop Rummel "forced" him to resign from the controversial group.

He said the Archbishop requested by telephone that he resign and upon receipt of the prelate's letter confirming his request, the priest said he submitted a written resignation.

■

EMILE A. Wagner Jr., arch-segregationist and inactive member of the Orleans Parish School Board, and who is chairman of the New Orleans Education Foundation, charged earlier that Father Schutten's resignation from the NOEF was "forced and involuntary."

Wagner, a Catholic, has been in the forefront of the fight to maintain segregation in public schools.

The official Chancery office of the archdiocese of New Orleans issued the following statement to The Courier last week:

"We are pleased to note that the Rev. Carl J. Schutten, at the request of the Most Reverand Archbishop, dated 4-24-61, has withdrawn from the New Orleans Education Foundation. It is inappropriate and inconsistent for a Catholic priest to belong to this group."

"While as Catholics we have a primary and very grave responsibility to promote the interests and welfare of our own Catholic parochial school system, nevertheless, we recognize our responsibility as citizens to the public school system.

"It would be regrettable if this system would be jeopardized by a movement which professes to promote the interests of 'private' schools."

Rights case view search commended

BY ED TUNSTALL

Associated Press staff writer

There's a bit of disagreement on some points, but a cross-section of the nation's attorneys general believe a New Orleans Federal Court is asking for all possible legal aid before ruling in a sticky Louisiana school segregation case.

The special three-judge tribunal in New Orleans on April 25 invited the nation's 50 attorneys general to file briefs as friends of the court in the case involving public schools in Louisiana's St. Helena Parish (county).

Voters in St. Helena voted April 22 to do away with public schools rather than have them integrated.

The attorneys general were asked to answer these questions in their briefs:

WOULD THE abandonment by a state of its public school system deprive children of rights guaranteed by the due process or equal protection clauses of the 14th Amendment?

Would the answer be the same if abandonment were on a local option basis after a vote of the electorate authorizing county school authorities to close public schools?

All 50 attorneys general were invited to file their briefs with the court, which consisted of U. S. Circuit Judge John Minor Wisdom and U. S. District Judges Herbert W. Christenberry and J. Skelly Wright.

To get the reaction of the attorneys general to this request, the Associated Press asked each of the nation's attorneys general his reaction to the invitation, was the move unprecedented and was the court trying to determine the nation's feeling before making its ruling.

Replies came from 15 attorneys general.

Ralph Moody, assistant to Atty. Gen. Thomas Wade Burton of North Carolina, said:

"I don't think the federal court in Louisiana is trying to sound out the feeling of the nation," Moody wrote.

"I think the 3-judge federal court is honestly and sincerely trying to get all the legal help and legal viewpoints it can on this question."

Ronald N. Boyce, assistant to Atty. Gen. Walter L. Budge of Utah,, said he believed the request to be unprecedented.

His reaction, Boyce said, was "one of pleasure since we had previously indicated . . . . we would be most happy to participate . . ."

"WE DO NOT FEEL," he wrote, "that the court's request . . . necessarily indicates an attempt by the court to gauge barometrically the feelings of the nation prior to its ruling . . . since many states should be given the opportunity to express themselves on what could be a further extension of federal control of state education . . ."

"My reaction to receiving the request," wrote Atty. Gen. Thomas M. Debevoise of Vermont, "was one of pleasure and reaffirmace of my belief that the federal court does its best to determine the law and justice in each case.

"I do not believe," Debevoise wrote, "that the action of the court indicates that it is seeking to determine the feeling of the nation before it issues a ruling.

Atty. Gen. Louis J. Lefkowitz of New York wrote, "that the purpose behind the invitation is for the court to have the benefit of all views on so important a constitutional issue."

Such a move is unprecedented, Deputy Atty. General Gary Thurlow of Alaska wrote.

"The court is not trying to ascertain the feeling of the nation," Thurlow wrote, "but is rather trying to avail itself of the research and thinking of a group of attorneys who are presumably especially well-informed in this area."

MICHIGAN Atty. Gen. Paul L. Adams wrote that he did not interprete the court's request "as anything other than a normal one to obtain as much help as possible in connection with problems novel."

that are difficult and presumably

Similar requests, said Atty. Gen Clarance A. H. Meyers of Nebraska, have come to his desk.

He said he would answer "no" to the question that the court was seeking the feeling of the nation before reaching a decision.

William L. Boyan, acting attorney general for New Jersey in the absence of David D. Furman, said Furman decided not to file a brief "because the specific questions posed . . . have not arisen and appear to be unlikely to arise in the state of New Jersey.

Atty. Gen. Richard W. Ervin of Florida was evasive on the questionnaire.

"I DO NOT KNOW what motive the court may have had in inviting the advice of the nation's 50 state attorneys general," he wrote. "To attempt to make public a guess as to the court's motives might be presumptious and improper on my part."

Ervin added, however, that he did not consider the move unprecedented, but termed it unusual and said he would respond with a brief.

Rplies were also received from attorneys general of Nevada, California, Oklahoma, Tennessee, Arkansas and Oregon, most indicating that they would not file briefs with the court.

New York Says Schools' End Would Violate Constitution

NEW ORLEANS (AP) — The New York state attorney general has urged a special three-judge federal court here to rule that abandonment of public schools would deprive children of rights guaranteed by the United States Constitution.

Atty. Gen. Louis J. Lefkowitz made the recommendation in a letter to the court, which had asked the opinions of all the 50 attorneys general of the union.

They were invited to file briefs as friends of the court in the St. Helena Parish (County) School case. Residents of the parish have voted overwhelmingly to close their schools rather than integrate. No integration date has been set.

The tribunal asked the attorneys general to comment on whether the abandonment by a state of its public school system would deprive children of rights guaranteed by due process or equal protection clauses of the 14th amendment and, the judges asked, would the answer be the same if the abandonment were on a local option basis after a vote of the electorate.

Lefkowitz did not file a brief, but in a letter, made public by court attaches here said, "The two questions posed in your letter may be novel, but the guide to their determination has been laid down by the supreme court and, I respectively submit, none but an affirmative answer should be given."

Segregationists have criticized the court's action as a move toward compelling states to maintain public education.

WHITE BOYS QUIT BOYCOTTED SCHOOL

Thompson Family Transfers From New Orleans After Defying Segregationists

NEW ORLEANS, Feb. 1 (AP) —Classes were held today at the integrated McDonogh No. 19 elementary school without the two boys who broke a two-month white boycott.

The family of John N. Thompson, whose sons went to the school for three days, left their furnished home during the night for an undisclosed destination.

The Walgreen Company, which employed Mr. Thompson as a clerk, said he had requested transfer. The concern did not say where it had assigned him.

Calls at the home went unanswered and neighbors said the family departed around midnight. One woman said Mrs. Thompson took wet laundry off a clothes line just before they left.

The three Negro girls who started attending the previously all-white schol last Nov. 14 arrived on schedule this morning, accompained by deputy United States Marshals.

A dozen men and women watched across the street. One woman shouted: "Your boy friends aren't there yet." Three policement moved quickly to the scene and ordered the crowd to remain quiet.

The Thompson family's departure recalled that of James Gabrielle and his family. Mr. Gabrielle's daughter Yolanda attended the other integrated school, William Frantz for a time. He was fired from his job at the sewerage and water board and went back to North Providence, R. I.

Calls Television Station

A man who identified himself as Mr. Thompson, 33-year-old father of six, called station WDSU-TV last night and said the family was leaving on the first train, but gave no destination.

The two boys, Gregory, 9 and Michael, 8, entered McDonogh yesterday under the watchful but silent protests of white parents boycotting the school.

About thirty persons, mostly women, gathered at the school but looked on silently as the two Thompson boys entered, escorted by marshals. The group said nothing when the three Negro girls attending the school arrived a few minutes later.

After the two whites and three Negroes entered McDonogh, about a dozen women quickly moved to a Walgreen drug store in near-by St. Bernard Parish and formed picket lines. They carried signs readings:

"Walgreen's favors integration."

Mr. Thompson defied the boycott for the first time last Friday by sending Gregory to McDonogh.

At William Frantz, the other public school desegregated by Federal order Nov. 14, ten white children attended yesterday along with the one Negro girl.

NEW ORLEANS GROUP FETES SCHOOL CHIEFS

NEW ORLEANS, Feb. 1 (AP) — A testimonial dinner Monday night honored five members of the Orleans Parish school system who have resisted ouster efforts of the State Legislature.

The $5-a-plate dinner, attended by an overflow crowd of more than 1,600 persons, was in honor of Dr. James F. Redmond, city School Superintendent, and four members of the elected parish school board. They were Louis G. Riecke, president; Lloyd J. Rittiner, Matthew R. Sutherland and Theodore H. Shepard Jr.

Missing was Emile A. Wagner Jr., who disagreed with the four others when they obeyed the Federal order to integrate the first grade.

Harry B. Kelleher, New Orleans lawyer, was the main speaker. He praised the five men and issued a plea for a reaffirmation of "belief in due process of law and in constitutional government."

"We believe, and we believe very strongly, that the people of New Orleans elected us to the school board not only to administer business affairs of the school system but to improve and perpetuate public education in the city of New Orleans," Mr. Riecke said. He continued:

"And so help me, as long as a breath of air or a drop of blood is in us, we are going to do exactly that, come hell or high water."

Father of Boy Wasn't Fired

NEW ORLEANS — (UPI) —An ex-GI from Alabama, whose son breached a white boycott at an integrated elementary school, learned Saturday that he wasn't fired from his job because of the boycott-breaking action.

John N. Thompson, 33, formerly of Sylacuga, Ala., was told by his Walgreen Drug store superiors that he had "never been fired" as a fountain clerk. In a prepared statement, his superior said Thompson was merely assigned to another store.

Thompson said Friday night he had been laid off and was to have an interview with Walgreen's executives Saturday morning to determine whether he would be kept on with the company in his $70-a-week job.

He said if he was fired, he would "go to the other side of hell to find a new job."

Thompson enrolled his 9-year-old son, Greg, in McDonogh 19 school Friday. He said if reprisals were made against him for the action at his home, "they'll have to mess with me."

Negro Worker 'Abdicates' In Favor Of Job

NEW ORLEANS, Feb. 1. — (UPI)—A produce worker who was to be king of a Negro carnival organization had to abdicate because his boss asked him to "pull down the parade or quit" in view of a rumored boycott of the employer's business.

Henry Johnson, who was to be King Zulu on carnival day, gave up his throne rather than give up his job. He has been employed by Southern Produce Co. for 30 years.

Angelo Spinato, general manager of the firm employing Johnson, said he has been hearing rumors of both white and Negro boycotts of the business since it was announced that Johnson would be King Zulu.

"I don't want to get in any controversy," Spinato said, "so I asked him to pull down from the parade or quit."

FATHER KEEPING JOB IN INTEGRATION-CASE

NEW ORLEANS, Jan. 28 (UPI) — A 33-year-old soda fountain employe who thought he might be discharged because his son cracked the white boycott of integrated McDonough 19 school learned today he still had his job.

"Where I send my kids to school is my own personal business," John N. Thompson said.

The Sylacuga, Ala., man, whose 9-year-old son Gregory became the first white student to attend McDonogh 19 with three Negro first-grade girls since Nov. 17, said Gregory and another son Michael, 8, both would attend the integrated school Monday.

"I didn't send my kid to that school to touch off an integration fuss," he said. "But I don't want my wife and kids to have to take a lot of guff. And if the cops can't protect them then I will."

Mr. Thompson told newsmen yesterday he was not certain if he had been dismissed from his $70-a-week soda fountain job with Walgreen drugstores. He said he was told shortly after he brought Gregory to McDonough not to report for work.

However, Walgreen officials said today it was all a misunderstanding, that Mr. Thompson merely was being transferred from one store in the city to another.

SCHOOL BOYCOTT IS CRACKED BY SECOND BROTHER

NEW ORLEANS (AP) — An 8-year-old white boy joined his brother at integrated McDonogh No. 19 school today and widened the crack in the 10-week-old boycott.

Michael Thompson was bedded down with asthma Monday and Friday when his brother Gregory, 9, began sole defiance of jeering neighboring parents.

U.S. deputy marshals drove the Thompson children to the school where about 25 persons —mostly women—stood quietly looking on today from across the street.

BRAVED ORLEANS JEERS

Boy's Family To Lose Their Home

JEWISH ORGANIZATION OFFERS "HELP OF ANY KIND" TO MAN

By WILLIAM COOK For UPI

NEW ORLEANS — (UPI) — The family of a third-grade boy attending integrated McDonough 19 School Monday was told to get out of its four-room apartment, but a national Jewish organization offered the family "help of any kind."

Gregory Thompson, 9, attended the McDonogh School for the second time Monday, braving the jeers of about 35 screaming segregationist mothers. He is the first white child to attend the school with three Negro first grade girls since Nov. 17, the third day of federally - ordered desegregation of New Orleans schools.

More than a dozen police Monday morning turned back the women as they moved toward the U. S. marshals' car bringing Gregory to school. There was no violence, just shouts of "traitor" and "nigger - lover."

TOLD TO LEAVE

Gregory cracked the complete white boycott of McDonogh Friday. Monday, Mrs. Margaret Lezina, the Thompson's elderly, white- haired landlady, told the family she wanted them out of the four - room poorly - furnished apartment by Feb. 7.

Gregory's father, John, 33-year-old soda fountain assistant manager, said he planned to fight the eviction order.

"I used to be a segregationist," the Alabama -born Thompson said. "I went in the Army believing like that and I soon learned different. A human being is a human being.

"I'll fight for my rights as long as I'm able," he vowed.

Mrs. Lezina said:

"I told them I want them out on the 7th or around there. I don't want all this disturbance around here. She Mrs. Thompson wants to go around stirring up trouble. Let her do it somewhere else . . maybe they'll go back where they came from."

RABBI PRAISES THOMPSON

Rabbi Joseph P. Glaser of Enlo Park, Calif., head of the Union of American Hebrew Congregations, Monday wired his praise to Thompson.

"Your stand on school segregation hailed here as heroic and high-level," the rabbi's telegram said. "If you need help of any kind, do not hesitate to call collect. Many people here anxious to support you. Be strong and of good conscience."

Gregory's younger brother, Michael, 8, is expected to attend McDonogh 19 as soon as he shakes a lingering cold. Both boys formerly attended a segregated school in neighboring St. Bernard Parish County — the same school where most of the more than 1,000 students from the city's two integrated schools flocked after integration began last Nov. 14.

The split feeling in New Orleans toward the school crisis was indicated by scheduled meetings Monday night — a testimonial to the Orleans Parish School Board which obeyed the federal court desegregation order after a long legal fight, and a white citizens' council meeting.

Orleans 'Mixers' Told to Move

The Miami Herald

NEW ORLEANS —(UPI)— The family of a third-grade boy attending integrated McDonogh 19 School Monday was told to get out of its four-room apartment, but a national Jewish organization offered the family "help of any kind."

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BOYCOTT BREAK WIDENS—Michael Thompson, 8, and his brother, Gregory, 9, yesterday were escorted from their home to a waiting car by a deputy United States marshal for a trip to McDonogh 19 Elementary School in New Orleans. The boys are the only white pupils in the school which had been attended only by three Negro girls.

—AP Wirephot

Thompson Family Quietly Pulls Out

Jackson Daily News

Jackson, Miss.

NEW ORLEANS (AP) — The John N. Thompson family, whose two sons broke a white boycott at an integrated public school, left their furnished home during the night for an undisclosed destination.

Calls at the home went unanswered and neighbors said the family departed last night carrying little or no belongings.

A man identifying himself as Thompson, 33-year-old white father of six, called station WDSU-TV last night and said the family was leaving on the first train, but gave no destination.

The two boys, Gregory, 9, and Michael, 8, entered McDonogh No. 19 yesterday under the watchful but silent protests of white parents boycotting the school.

About 30 persons, mostly women, gathered at the school, but looked on silently as the two Thompson boys entered escorted by U.S. deputy marshals. The group said nothing when the three Negro girls attending the school arrived a few minutes later.

Thompson defied the 10-week old boycott for the first time last Friday by sending Gregory to McDonogh.

BOYCOTT BROKEN
NEW ORLEANS, LA.

Boy Goes Back To Orleans School

By WILLIAM COOK
(United Press International)

NEW ORLEANS (UPI) — A boy in the third grade broke the complete white boycott Friday that began at McDonogh No. 19 grade school last November when three Negro girls started attending.

As police expected, segregationist "mothers" gathered at McDonough 19 to heckle the white boy, a third grader. The weather was near freezing and no more than 10 "mothers" were able to endure the cold until time came for school to be turned out for the day.

Then the crowd grew to 30 women. They yelled "Traitor! Traitor!" and "Nigger Lover! Nigger Lover!" as a man presumed to be a U. S. marshal escorted the white boy to an automobile waiting to take him home.

The mothers followed the boy home. Then part of them returned to the school to wait for the three Negro girls to get out.

The women shivered in the wind at the school.

One confessed to a UPI reporter that the only way she could stay outside was to wear her pajamas under the rest of her clothing.

BOY SURPRISES TEACHERS

Dr. James F. Redmond, superintendent of the New Orleans schools, said the break in the boycott made him "exceedingly pleased." Both he and the teachers at McDonough were surprised when the boy walked in.

"I hope this signals the return of other students to the established schools of that neighborhood," Redmond said.

McDonough is one of two formerly all-white elementary schools that Negroes started attending for the first time in New Orleans Nov. 14 setting off a riot.

The boycott of McDonough became complete Nov. 17. The other school, William Frantz Elementary, was never completely boycotted. One Negro girl and varying numbers of whites — but never more than 23 — attend it. While attendance Friday was seven.

BROTHER WILL ENROLL

The boy who broke the boycott at McDonough 19 was not identified for his own safety. But his father said a second son will enroll Monday. The second semester began at McDonough Friday.

tended McDonogh before integration but enrolled in a neighboring St. Bernard Parish County school when the Negro girls started attending.

He told the McDonough principal that he was returning his sons to an integrated school because he is tired of seeing them studying the same things they did last year.

McDonogh 19 and William Frantz were attended by a total of 1,021 whites before integration. Most of them transferred to St. Bernard Parish schools.

Dad Loses Job After Son Breaks White Boycott

By the Associated Press

New Orleans

John N. Thompson, fired as a drug store clerk after his son broke the white boycott at an integrated public school, is looking for a new job.

His employer said he knew of no connection with the fact that Mr. Thompson's nine-year-old son Friday became the first white pupil to enter McDonogh No. 19 since it was integrated.

As women demonstrators yelled "traitor," Gregory Thompson attended third grade classes at McDonogh, one of two city schools integrated by federal court order Nov. 14.

The elder Thompson said he planned to send his younger son, Michael, to McDonogh on Monday.

When Mr. Thompson reported for work as assistant soda fountain manager at a chain drug store, he received notice of his dismissal from J. S. Adams, the manager.

Mr. Adams said Mr. Thompson would meet with a chain official about another job with the stores.

Asked whether Mr. Thompson's dismissal stemmed from his son's appearance at McDonogh, Mr. Adams said he didn't know about that. He said the decision to discharge Mr. Thompson had been made Tuesday.

Father Fired As Son Breaks N.O. Boycott

Drug Store Clerk Dismissed, Boss Denies Reprisal

By THE ASSOCIATED PRESS

The father of the 9-year-old boy who shattered the two-month boycott by white persons of an integrated New Orleans public school was looking for another job today determined not to submit to pressure.

"I'll find another job if I have to go to the other side of hell," said John H. Thompson, 33, during an exclusive interview with The Associated Press shortly before he was informed he had been fired from his $73-a-week job.

Thompson was told of his discharge when he reported for work at 3 p.m. Friday at the drug store where he was an assistant soda fountain manager.

DIDN'T CUT MUSTARD

J. C. Adams, the store manager, said he knew nothing about Thompson's son attending McDonogh No. 19 school and that Thompson was ordered dismissed Thursday because "he didn't cut the mustard."

Thompson's son, Gregory, slipped unnoticed into the school Friday but was greeted by yells of "traitor" from women demonstrators when he left later accompanied by a federal marshal.

Gregory was the first white pupil to enter the three-story building in eastern New Orleans since a day or two after token integration began last Nov. 14. Only three Negro girls have attended McDonogh classes.

The presence of the youngster set the stage for new tension in troubled New Orleans. The tension is expected to increase if Thompson goes ahead with plans to re-enter another son, now ill, in McDonogh Monday.

MOVED FROM BAMA

The Thompsons and their six children came to New Orleans from Alabama about a year ago and moved into the McDonogh neighborhood in November. Gregory and Michael, 8, entered McDonogh No. 19 and then were shifted with other white children to segregated schools in an adjoining county.

"I was raised as a segregationist," Thompson said, "but I've a mind of my own. I lived with Negroes in the service (Army) and I know that no black rubbed off on me. I know integration has got to come and there's no use trying to live like a hundred years ago."

In Atlanta, the Georgia Legislature moved swiftly to replace the state's rigid school segregation laws with a local control plan designed to hold integration to a minimum.

Action was completed — except for correction of a typographical error—on three bills and a proposed constitutional amendment prepared by Gov. Ernest Vandiver. The governor is expected to receive the proposals for signature the first of the week.

WHITE BOY BREAKS NEW ORLEANS BAN

Pupil, 9, First to Re-enter at School Now Attended by Only 3 Negro Girls

NEW ORLEANS, Jan. 27 (AP)—A third white boy in the third grade broke the total segregation boycott of McDonogh No. 19 school today. His entrance into the school apparently set the stage for new tension in this city's seventy-five-day school crisis.

A few clusters of women demonstrators huddled across the street and yelled "traitor" when 9-year-old Gregory Thompson left the school accompanied by a Federal marshal.

John N. Thompson, the boy's father, told newsmen that the family moved into the McDonogh neighborhood in November.

The boy was the first white pupil the three-story building on busy St. Claude Avenue in eastern New Orleans had had since a day or two after token segregation came to the public schools last Nov. 14. Only three Negro girls have attended classes at McDonogh.

Almost in tears, one of the huddled group of mothers said: "All we worked for, and now someone has to send their children back to school here."

Some feet away, a comment by another mother expressed the conflict that has afflicted New Orleans since four Negro girls entered white schools for the first time in November.

"My little boy is unhappy and wants to go back to McDonogh," she said in a low voice.

She looked around and said: "And I'd almost put him back if I wasn't scared of some of these other women."

Real Breakthrough Seen

Mrs. Mary Sand, head of Save Our Schools, an organization seeking to keep New Orleans schools operating even if they are integrated, hailed the crack in the 100 per cent boycott as a genuine breakthrough. She apparently expected other parents to follow the example of the father of today's breaker of the boycott.

Dr. James F. Redmond, superintendent of New Orleans schools, announced the entry of the white boy without identifying him, but said that the father was "tired of seeing his boy go over the same work he did last year."

Dr. Redmond said the boy had been attending classes in St. Bernard Parish (county) schools since November, like most of the absent McDonogh pupils. The school had about 500 white pupils before integratino.

The boy's father told school officials that another son, now ill, would re-enter McDonogh on Monday.

"It's a dirty crying shame," said one of the watching women.

Biting north winds and a 33-degree temperature soon forced the neighborhood women to siti n cars or enter near-by stores.

The police soon entered the school and only one policeman was visible in the school doorway. The police and a United States deputy marshal barred newsmen from the school.

The white boy's entry into McDonogh went unnoticed. Dr. Redmond said that "no one knew about it" and that "even school teachers were surprised."

At the city's other integrated school, William Frantz, in the same general area of the city, the situation remained unchanged from early December. Seven white students and one Negro girl attended classes.

Some weeks ago, formal daily picketing of the two schools ceased after the police had pushed picket lines back a block from William Frantz. Segregation skirmishes then became exclusively legal, legislative and strategic, far from the schools themselves.

Plea by Kennedy Urged

Special to The New York Times.

CHICAGO, Jan. 27—Leaders of the National Catholic Conference for Interracial Justice said today that President Kennedy should appeal directly to the citizens of New Orleans to abide by the school desegregation decisions of the United States Supreme Court.

John P. Nelson Jr., a vice chairman of the conference and also a vice chairman of the Save Our Schools organization in New Orleans, made this proposal at a news conference before the opening of a three-day board of directors session.

The Rev. John LaFarge of New York, honorary chaplain and an associate editor of the magazine, "America," and Norman Francis, dean of men at Xavier University in New Orleans, agreed with the suggestion. Dean Francis, a Negro, is a member of the conference's board of directors.

R. Sargent Shriver Jr., president Kennedy's brother-in-law, is a director of the organization. However, press of other business will prevent his attending the directors' meeting. The conference seeks to promote racial understanding.

Dean Francis said that President Kennedy should order all Federal agencies with offices in New Orleans to hire qualified Negroes. With the exception of some post office jobs, he said, Federal employment in New Orleans is closed to Negroes.

"We have great hopes for the Kennedy Administration," Dean Francis asserted.

Father LaFarge, commenting on Mr. Nelson's suggestion that the President appeal directly to the citizens of New Orleans, remarked that former President Eisenhower had never recognized that school desegregation was a "moral issue."

Mr. Nelson, Father LaFarge and Dean Francis agreed that

the New Orleans Roman Catholic school system, which is segregated, should be integrated. Moves in this direction by the Archbishop have aroused opposition among both Catholic and Protestant politicians in Louisiana.

Total Boycott Broken At New Orleans School

The Courier-Journal
Louisville, Ky.
1-28-61
p. 3

By The Associated Press

New Orleans, Jan. 27.—A third-grade white boy broke the total segregation boycott of McDonogh No. 19 School Friday, setting the stage for new tension in this city's 75-day-old school crisis.

A few clusters of women demonstrators huddled across the street and yelled "traitor" when 9-year-old Gregory Thompson left the school accompanied by a federal marshal.

John N. Thompson, the boy's father, told newsmen that the family moved into the McDonogh neighborhood in November.

This was the first white pupil the three-story building on busy St. Claude Avenue has had since a day or two after token integration came to the public schools November 14. Only three Negro girls have attended McDonogh classes.

Dr. James F. Redmond, superintendent of New Orleans schools, said Gregory's father was "tired of seeing his boy go over the same work he did last year."

Another Son To Re-enter

The boy, Redmond, said, has been attending classes in St. Bernard Parish (county) schools since November, like most of the absent McDonogh students. McDonogh had about 500 white students before integration.

The elder Thompson told school officials that another son, now ill, would re-enter McDonogh Monday.

New Orleans Pickets Hit Firm of Father

The Atlanta Constitution
Atlanta, Ga.
p. 21
Wed. 2-1-61

NEW ORLEANS (UPI)—Bitter segregationists—their total boycott of an integrated school broken by two white boys—Tuesday picketed a drug store owned by the firm which employs the boys' father.

Gregory Thompson, 9, and his brother, Michael, 8, both attended McDonogh 19 grade school Tuesday. Their father, John, a 33-year-old ex-GI from Alabama, is employed by Walgreen's Drug Stores as a $70-a-week assistant soda fountain manager.

EMPLOYE SHIFTED

The manager of one of the more than a dozen Walgreen stores in the city said about 12 sign-carrying women picketed the store. One of the signs said, "Walgreen's favors integration."

A spokesman at the firm's district headquarters here said Thompson does not work at the store the women picketed. The spokesman would not reveal at which store Thompson worked.

One of the women pickets admitted the group did not know where Thompson worked but that "we'll get rid of him if it takes a year."

ASK FIRING

"We want him fired," she said. "If he's not working here, we'll find him and go there and picket. We want him out of town."

Segregationists are using other pressures to restore their complete white boycott of the McDonogh school. The landlady renting a $70-a-month, four-room apartment to the Thompsons has ordered the Sylacauga, Ala., family with its six children to move out.

The stubborn Thompson said he would fight the eviction, but if he fails and cannot find an apartment in the same neighborhood he may have to move out of the McDonogh school district.

GET ESCORT

Only a handful of anti-integration mothers were at the school today when U.S. marshals escorted the Thompson children to the building. Their usually loud, abusive screams were toned down to mutterings of disgust.

At the city's other integrated school, William Frantz, 10 whites attended classes with one Negro girl. The white attendance was the highest in almost a month.

Catholic Priest's 'Role' In Education Foundation Rapped

By John E. Rousseau

A large number of Negro Catholics last week expressed shock and anger when the name of a prominent priest was listed as a trustee of the New Orleans Educational Foundation which applied for a charter recently. The organization will supervise the city's projected private school cooperatives. It is headed by Emile A. Wagner, Jr., an avowed segregationist and member of the Orleans Parish School Board.

The priest is the Rev. Carl Schutten, pastor of St. James Major Catholic Church and editor-in-chief of "Catholic Action of the South," a weekly denominational newspaper.

The seven-member board of the N. O. Educational Foundation which will be the equivalent of a school board, will also administer state grants-in-aid as they are made available.

State grants-in-aid, it is pointed out, is the result of a legislative action aimed at preserving racial segregation in education. It would provide funds to students who wish to attend segregated private schools rather than public schools which have been ordered by the Federal Court to integrate.

In addition to Wagner, the board will be made up of George Soule, vice chairman; Mrs. James C. Ryan, secretary; John U. Barr, Felix H. Lapeyre, Julian Humphrey and Walter J. Suthon, Jr.

George S. Rapier will be the treasurer but it not a member of the board of administrators. He is a member of the board of trustees which will have a maximum membership of 25.

Trustees, in addition to Rapier and Father Schutten, are Patrick W. Browne, Gerard A. Rault, former special counsel for the Orleans Parish School Board in the integration court fight; Wylmer Poole, F. Otway Deny, A. Konrad Lagard, Emanuel DeFraites, George W. Healy, III and Harry P. Gamble.

At present only the Ninth Ward Private School Association falls under the jurisdiction of the foundation. This is a group of parents who withdrew their children from McDonogh 19 and William T. Frantz Elementary Schools which were desegregated by Federal Court order last November.

Several persons have complained or sought explanations of Father Schutten's association with the foundation. Some have telephoned the Rev. Msgr. Henry Bezou, archdiocesan superintendent of schools, and one who sent a written protest to Archbishop Joseph Francis Rummell, archbishop of New Orleans, gave a copy to the Louisiana Weekly.

Joseph M. Ashford, an outstanding Catholic layman, pointed out in a letter to Archbishop Rummell that the association of Father Schutten with the foundation "could not be termed beneficial" especially since he is the editor-in-chief of "Catholic Action of the South," the official publication of the archdiocese.

Louisiana Fails In School Case

Three Appeals Involving New Orleans Denied By High Court

WASHINGTON, June 19.—The Supreme Court Monday rejected three more appeals seeking to block public school integration in New Orleans.

The court summarily affirmed a decision by a special three-judge Federal tribunal in New Orleans that creation of a new school board by the Louisiana Legislature in 1960 was an unconstitutional act.

The action was the fourth since Dec. 12, 1960 in which the justices have rejected Louisiana's efforts to put off school desegregation.

Devices Called Worthless

In the course of disposing of the state's appeals, the high court once took occasion to tell Louisiana that its various devices, including interposition, were legally worthless.

Oce appeal acted on Mgnday was filed by members of an Orleans Parish School Board which was set up by a third extraordinary session of the Legislature. The appeal contended the special Federal court had no jurisdiction to consider the action of the Legislature.

The appeal also protested action of the special court in asking the United States attorney for Eastern Louisiana to appear in the case of a "friend of the court." The attorney appeared and was granted an injunction barring the new school board members from assuming office.

Court Power Questioned

A second appeal turned down was filed by counsel for the Louisiana Legislature. This appeal likewise questioned authority of the special court to act as it did. The appeal stated:

"This proceeding raises questions of great importance respecting the power of the United States to interfere with and control state legislative and executive action respecting matters tion of a state government, on the mere conjecture that such action will in some unspecified way obstruct the due administration of justice by a U. S. Court."

The third appeal was filed by the treasurer, the state comptroller and other officials of Louisiana.

In each instance the Supreme Court in brief orders affirmed the special tribunal decision in the Louisiana litigation.

Renew Picketing At Frantz School

NEW ORLEANS. —(UPI) — About 100 picketers, about half of them children, renewed picketing at desegregated William Frantz grade school Thursday to show they still didn't like integration.

Mothers and a few fathers joined the children, many of whom have been boycotting the Frantz school and McDonogh 19 grade school since the two were desegregated by federal court order November 14.

Armand Duvio, president of the Ninth Ward Private School association and leader of yesterday's picketing, said it was being done to "show that we feel just as strongly about this now as we did the day the schools were integrated."

A few policemen, who have patrolled the school since last November, did not interfere with the sign-carrying pickets. It was an orderly group, with the children laughing and a few mothers leading toddlers by the hand.

One of the signs read, "It's not a old fashioned idea to fight for segregation." A picketer carried a large rebel flag. A sign said "buy a foot of freedom today." It referred to the Ninth ward group's drive for $300,000 to build a private school by next September.

About 1,000 white children are boycotting the two integrated schools. They transferred to a nearby segregated school in St. Bernard parish (county). Some took a holiday to picket yesterday. There are no whites attending school with three Negro girls at McDonogh 19. Only about 15 whites attend Frantz with a lone Negro first grade girl.

Duvio said his group was seeking $300,000 for the proposed new private school here for the young boycotters. He said $50,000 already has been banked and another $50,000 has been pledged.

The Pupil Placement Farce

A total of 66 Negro children have applied for admission to first grades in previously all white New Orleans public schools. Unlike all other Negro and white children entering the first grade, these who applied to enter (and integrate) white schools will be subjected to a rigid screening test by the Orleans Parish School Board in keeping with a pupil placement law which is obviously designed to keep integration at a minimum.

Factors on which these tiny Negro kindergarten graduates will be tested include scholastic aptitude, intelligence or ability, adequacy of academic preparation, readiness for admission to school, the effect of the new pupil on the academic program, suitability of established curricula for the pupil, psychological qualification of the pupil for the type of teaching and associations in the new school, the effect of the transfer on academic progress of other students, psychological effect on the pupil, home environment, maintenance or severance of social and psychological relationships with pupils and teachers, and health and personal standards of the pupil.

It is pointed out that some 135 Negro pupils applied for transfer last September and only five were selected. Based on the same percentage, perhaps two will pass the gruelling test for the 1961-62 term.

But be that as it may. These five-year-old Negro children are being subjected to a more rigid examination and must possess more qualifications than persons seeking to enter college. There is no doubt that the pupil placement law is unjust, is being unfairly administered, is undemocratic, and should be the next target upon which the NAACP should set its sights for a Federal Court challenge.

U.S. Brief Says School Closing Unconsitutional

WASHINGTON - The Justice Department on Monday filed a brief telling the special three-judge Federal Court at New Orleans that a shut-down of public education in St. Helena Parish would be unconstitutional.

In an unusual brief, the Justice Department contended that the right of all American children to have an education is directly related to their subsequent rights as adults to vote. It asserted that if the necessary schooling is withheld in the formative years, the child may later be unable to meet voting tests laid down by the states.

The department said the states have a constitutional duty to operate public schools and cannot abandon the system to avoid racial integration.

The brief said Louisiana, in common with 18 other states, maintains a literacy test for voting, and that such tests have been held valid by the U. S. Supreme Court.

"Accordingly, we believe that the imposition of such a requirement as a condition to the exercise of the most basic of all rights of a citizen may well impose a corresponding duty upon the State of Louisiana to furnish the means by which the condition can be met," the brief said.

The St. Helena case originated in 1952 on petitions by Negro plaintiffs seeking to have their children admitted to the public schools of that parish. The District Court early last year ordered the admissions and this was affirmed by the Circuit Court of Appeal at New Orleans. A few days later, the Louisiana Legislature passed a law authorizing local school boards to close their schools if a majority of the local electorate approved that course.

The three-judge court is now sitting to determine the validity of that state law. It involves a suit by the NAACP attacking the constitutionality of the so-called "local option" law.

Since the filing of the suit, the St. Helena Parish School Board called an election as provided by the new law and voters indicated overwhelmingly that they would rather that schools be closed rather than desegregated as ordered by the Federal Courts.

The three-judge court last month took the case under advisement. It has asked the Justice Department and attorneys general of all of the 50 states as well as the Negro plaintiffs and the St. Helena School Board to submit their views.

The questions upon which the views are based are:

1. Would the abandonment of a state's public school system deprive children of rights guaranteed by the 14th Amendment's due-process or equal-protection clauses?

2. Would the answer be the same if abandonment were on a local option basis following a vote of the electorate authorizing county school authorities to close public schools?

14d(1) 1961 MARYLAND OCTOBER PRINCE GEORGES COUNTY

School desegregation case settled in Prince Georges

Apx Amount 2,30 Sat 10-7-61
Baltimore Md

BALTIMORE

The seven-year-old son of a College Park, Md. City councilman integrated a Prince Georges County public elementary school on Monday.

Gregory Lomax enrolled in the first grade in the College Park Elementary School after his father, Dervey A. Lomax, 37, was given a six-hour hearing by the State Board of Education.

During the hearing Dr. William S. Schmidt, superintendent of the Prince Georges County Schools, announced that he would give permission for the youngster to enroll in the school which is about 1½ miles from the child's home.

Dr. Schmidt had denied the father permission to enroll his son in the integrated Beltsville Elementary School in September.

* * *

DR. SCHMIDT then said the Lomax family resided in the area served by the all-colored Lakeland Elementary School.

Mr. Lomax secured private tutoring for the child during the 1960-61 school year.

In 1961, Mr. Lomax made application for his son to the integrated Seat Pleasant Elementary School, eight miles from his home.

Dr. Schmidt again denied the application saying that the school board determines by law the attendance areas for schools.

During the hearing, it was pointed out that the school board has two maps, one showing "colored" school areas, another showing "white" school areas.

* * *

MR. LOMAX in an August 8 hearing before the county education board said children are regularly assigned to the county schools on basis of segregation; that children are restricted to "colored" schools in that the "nearest school" is colored, and in some cases are sent by the board past the nearest school to a colored school.

He said he would have to move to gain a desegregated education for his son.

Prince Georges County on Aug. 11 denied the application.

On Aug. 16, Mr. Lomax appealed to the State Board of Education.

* * *

DR. SCHMIDT testified that only 465 out of 8,100 colored children attend integrated schools in the county. 36 schools formerly maintained for whites are integrated.

The Seat Pleasant school has 361 white children, 52 colored.

Mrs. Juanita Mitchell, NAACP attorney, serving Mr. Lomax, said the Prince Georges County does not vol untarily assign colored pupils to formerly all-white schools.

Mrs. Mitchell contended colored children pass nearer schools to go to traditionally colored ones.

She said Dr. Schmidt had the entire eighth grade in Lakeland Junior High transfer to the Fairmount Heights Junior High School although the children had to pass a segregated junior high school.

Mrs. Mitchell charged Dr. Schmidt with deliberately gerrymandering and districting the schools to perpetuate segregation.

* * *

DR. (MRS.) KENNETH Cole, vice president of the State Board of Education, is an attorney and member of the President's Civil Rights Commission and chief of the education division.

Board members present were: Dr. Dwight O. W. Holmes, Richard Schifter, J. Jerome Frampton, president of the board; W. L. Wilson and Dr. Thomas Pullen, state superintendent of schools.

Paul M. Nussbaum served as the attorney for Dr. Schmidt.

Maryland Shore Counties Slow to Desegregate

First of a Series

By Carole Bowie
Staff Reporter

Although all of Maryland's 23 counties have adopted policies of voluntary compliance with the Supreme Court's school desegregation ruling, only 14 have actually enrolled Negroes in previously all-white classes.

One county—Garrett, in the far western area of the State—has no Negro school pupils. The remaining eight, where school boards put the burden of effecting desegregation on parents, report they have had no requests for transfer of Negro students to white schools.

Token integration in four other counties is considered only token and is limited to areas where large colonies of new residents drawn by military installations and active economic development programs influence community life.

Good Faith Questioned

That all of these counties—the eight with no integration and the four with only token progress — are located in Southern Maryland and on the Eastern Shore has prompted top State officials to question the good faith of local leaders.

"If after seven years there are counties where no Negro pupil has been enrolled in a white school, naturally in the mind of the thoughtful person there is suspicion of something unnatural," State School Board member Dwight O. W. Holmes has remarked.

"Those in the forefront of the fight for equal opportunities," he said, "cannot help but be disappointed that the pace of school desegregation in our State has been so slow."

The rate of school desegregation in Maryland follows closely the topography of the land, declining as, within the space of a few hundred miles, the rolling hills of Cumberland melt into the rambling coasts of the Chesapeake Bay country.

Desegregation Areas

The only significant desegregation in the 5 county pocket commonly called "Southern Maryland" has occurred in Prince Georges and Anne Arundel counties, both of which are lodged in the maw of a metropolitan Baltimore-Washington vise.

Elsewhere in Southern Maryland, St. Mary's County has one integrated school, the Frank Knox Elementary, located outside the gate of the Patuxent Naval Air Station, where one Negro child is enrolled.

Charles County has enrolled nine Negro students in an elementary school serving the Indian Head Missile Installation. Calvert, the fifth Southern Maryland County, has no desegregated schools.

The remaining seven counties where no desegregation has occurred lie across the Chesapeake Bay on Maryland's Eastern Shore. They are Worcester, Somerset, Kent, Queen Anne's, Dorcester, Wicomico and Caroline.

Demonstrations in 1956

Talbot and Cecil, the other two shore counties, began token desegregation amid demonstrations in 1956. Cecil, located at the northern tip of the peninsula near the Aberdeen Proving Grounds, now has 96 Negro youngsters enrolled in 12 of its 25 schools.

Talbot, generally regarded as the most cosmopolitan of the Eastern Shore communities because of the scores of new residents who have settled along its nearly 600 miles of waterfront, has 18 students enrolled in three schools.

Negro enrollment in these counties ranges from 10 per cent of the total in Cecil to 45 and 50 per cent in Calvert and Charles.

Like "Deep South"

That so few Negro parents have demonstrated interest in school desegregation is linked by some to a pride in the new, vastly improved Negro schools common throughout the area and by others to fear of reprisals to those who move to disturb the status quo.

"We are like the Deep South in many ways," remarked the superintendent of schools in one Eastern Shore county visited last week during a survey of the area. "We are very slow to change our ways."

The ways of Southern Maryland and the Eastern Shore date from 150 years before the framing of the Constitution—an era when its tiny coastal towns flourished as ports of entry" . . . for the unloading of Negroes, wares, merchandise and any commodities whatsoever."

But the ports of Southern Maryland, remote from northern commercial centers, and of the Eastern Shore, with no link to the mainland until the opening of the Chesapeake Bay Bridge in 1954, gave way to Baltimore and Annapolis in the 18th century and residents returned to their farms and fishing boats.

Traditions Survive

Among the traditions that survive in these communities, where census figures show little if any population growth, is strict separation of the races. On major thoroughfares, coursed by beach-bound vacationers, diners and restaurants insist that Negroes enter through the rear door and carry out food orders.

Those off the beaten track refuse service to Negroes altogether.

Movie theaters maintain separate entrances and reserve balcony seats for Negro viewers. Recreation facilities such as roller skating rinks, bowling alleys and beaches cater to whites only.

Color lines in towns are rigidly drawn by a tradition which dictates that whites live on one side of the town and Negroes on the other. Along the unpaved streets in many of these Negro ghettos weather-greyed frame shacks attest the poverty of the residents.

No Other Place to Live

Even if Negroes have money, one Dorchester County storekeeper explained, "there is no where else for them to live. No one will sell to them and they can't get loans to finance building."

Negro seamen assigned to Patuxent Naval Air Station complain they must leave their families behind because no off-base housing is available to them. "They advertise space," one said, "but when you show up to rent, they say they are full up."

Other residents tell of isolated farming and oystering villages, like Tilghman's Island in Talbot County, where "no Negro dare show his face on the street after dark. They are confined to their quarters."

In Worcester County's Pocomoke City, hundreds of erstwhile Negro migratory workers who settled in the greener pastures of the Eastern Shore, live in squalor that causes them to be shuned by both Negroes and whites.

Schools Consolidated

Most of the tiny one-room schools which once dotted the countryside have been consolidated into town schools, usually located at opposite ends of large communities, which serve white and Negro children from town and rural areas.

From 60 to 80 per cent of the students in these counties are transported to class by bus and it is the rule for Negro youngsters to ride by white schools on their way to class.

In smaller towns, like Oxford, Negro students who live within walking distance of a white school are transported 10 miles to the consolidated White Marsh Elementary School. Negroes living within the shadow of Charles County's La Plata school attend class outside the city limits.

Why these traditions continue to survive — despite Maryland's policy of "full compliance" with the Supreme Court's 1954 school desegregation ruling—will be discussed in subsequent articles.

Shore Negroes Take 'Bird in Hand' School View

The Washington Post
(Third of a Series)

By Carole Bovie
Staff Reporter

Negroes in Southern Maryland and on the Eastern Shore regard their segregated schools with curiously mixed feelings.

On the one hand, they attribute recent great gains in Negro education—in the form of new facilities and improved curricula—as the fruits of the white community's desire to maintain the status quo.

On the other, they condemn continuance of the region's rigorous traditions of racial separation but wonder at the consequences—in the way of physical and economic reprisals—if they move to disturb the old order.

Total Integration a Hope

The resulting picture is one of a people with a bird in the hand and an acute consciousness of the risk of trying for the two in the bush.

Throughout the region, however, Negroes express a faith in ultimately winning both desegregated and good schools which belies the convictions of Southern Maryland and Eastern Shore white leaders.

White officials in those 12 counties—where integration has been token or not at all, believe they have contented Negro parents with separate but equal school facilities.

But, said 65-year-old Annie Brown Downey, a life-long Negro resident of Worchester County, "We believe that in the long run there will be total integration of our schools".

In the meantime the attitude of many Negro leaders, as expressed by William Grove of St. Marys County, is that "If we can accomplish our aim—that is, improving educational opportunities for our Negro youngsters through a system of staying to ourselves, then we might as well do it.

"We are very well pleased with the way our schools have been improved during the past few years," he said. Most of the improvements in St. Marys occurred after Groves' two children were admitted by court order to Great Mill High School in 1958.

Speaking for many parents, John A. Tarpley, a leader in Lexington Park, said he enrolled his daughter in a all-Negro school, even though she is technically eligible to attend a white school much nearer her home, "because I feel like she's getting an adequate education there."

"The Shock" Remembered

Grove compares the attitude of Negro residents to that of one who has been long confined by an electrically charged fence. "He has had public notice that the charge has been turned off, but he still remembers the shock."

Groves' analogy is substantiated by other Negroes who admit they have discussed the possibility of desegregation in churches and P-TA meetings but have found parents unwilling to make the first move.

"But that does not mean they are satisfied with things as they are. Some may be, but there are many who are not. They are afraid of losing their jobs. or that something might happen to their children," said one Negro woman, a resident of Talbot County for 23 years.

That the shock of racial conflict lingers in the memories of Southern Maryland and Eastern Shore Negroes is evident, too, in Worcester County, where a Negro minister said residents still talk of two lynchings which occurred on the Shore in 1931 and 1933.

"A Rugged Thing"

"Segregation is a rugged thing on our people, but before they do anything against the whites, the people they work for, they have to think of their homes and families," the minister said.

Negroes in Southern Maryland and on the Eastern Shore have been segregated all of their lives and are not used to acting outside the bounds laid down by the white community.

Parents, said Mrs. Downey, "come in contact with white people all the time and they do not yet find enough warmth and acceptance to make them feel they could safely make the (desegregation) move."

When asked if she, herself, would be reluctant to press for integration, Mrs. Downey replied: "Yes, indeed I would. I have the feeling there would be enough people putting pressure on my boss so that he would have to tell me to keep my mouth shut or go somewhere else."

Cite Lack of Leadership

Mrs. Downey, like many other Negro residents, cited a lack of active Negro leadership throughout Southern Maryland and Eastern Shore as another block in the road to desegregated schools.

"No thinking person is satisfied with the racial situation here," she said, "but thinking people get up and leave."

Those who remain and operate outside of the local economy are, for the most part, Negroes employed by the State as teachers, school officials or hold local school bus contracts. These people, as one resident put it, "have a great deal to gain by maintaining a calm and conflict-free school situation."

Negro teachers and principals throughout the shore and Southern Maryland counties are reluctant to discuss the question of school desegregation. Most, like Julian A. Meares, principal of the Carver School, prefer to talk of the area's great gains in Negro education.

"To really know how lovely this is," said Meares, as he conducted a reporter through his new $800,000 school, "you need to have seen us before." The Carver school, once housed in a 6-room frame building, includes modern science laboratories, a spacious gymnasium and offices for guidance counselors — a service once unknown to Negro schools.

Looking to the future, Mearse insists that Negro teachers and principals feel secure in their jobs and do not fear desegregation of the school system.

He added, turning his attention to his new school, "We are very proud of what we have."

State Asked to Force Prince Georges to Desegregate Schools

The Washington Post
Thurs. 11-30-61
P. B. I
Washington, D.C.
14911

County Accused Of Not Complying With Court Edict

By Carole Bowie
Staff Reporter

BALTIMORE, Nov. 29—The Maryland State School Board has been asked to order Prince Georges County to abolish its present system of separate white and Negro school attendance areas.

The request was put to the State Board by member Richard Schifter in a legal brief holding that Prince Georges' current desegregation policy is not in compliance with the Supreme Court's 1954 school desegregation ruling because it is based on initial assignment of pupils by race.

Schifter's proposal was distributed to Board members and State School Superintendent Thomas G. Pullen but was not discussed by the Board.

Board Chairman Jerome B. Frampton scheduled a special meeting Jan. 3 to "discuss where we stand now on school desegregation."

Added Direction

"This is an area," Frampton said, "where the State Board can give some added direction."

In his brief Schifter argued that the State Board, which has in the past left school desegregation cases to the courts, has the power and the responsibility under Maryland law to require local school districts to company with the Supreme Court decree.

"Having been entrusted with responsibility to determine the educational policies of the State . . . we cannot shirk that duty because legal questions are involved," Schifter declared. "Our responsibility," he said, "is to administer the school system in accordance with the law."

He proposed that the State Board "direct the County School Board to formulate and present to this Board, by February 28, 1962 . . . a plan for the abolition of the County's system of separate racial districting and initial assignment by race." The plan would take effect next September.

Now only 5 per cent of the County's 8000 Negro students attend desegregated schools.

Plan Full Compliance

To be in compliance with the Supreme Court ruling, Schifter stated, Prince Georges would have to assign pupils to schools on a non-racial basis or show evidence of a plan for "full compliance" which would culminate in revision of its present racial districts.

Schifter added, "we have no indication that Prince Georges County has formulated a comprehensive program under which it would move toward total desegregation. On the contrary, it appears that County school officials believe that they have fully complied with the Supreme Court's mandate."

Under School Board policy, Prince Georges has retained school attendance areas in effect before school desegregation but allows a Negro child to transfer to a white school if it is the nearest school to his home.

Similar plans are in effect in other of Maryland's 23 school districts, 14 of which have only a few or no Negroes enrolled in traditionally all-white schools.

But even if Prince Georges present assignment plan "were an appropriate way-station for this time and place on the road to full compliance," Schifter argued, "the County is now in violation of the Supreme Court's decree because it has no plan to move from its present position . . . through governmental action."

Schifter held that the State Board's responsibility is "to move ahead at a rate which we consider proper from an edlcational point of view," with "second-guessing" how far the Courts "will compel us to go."

"Examining Prince Georges' system with these educational principles in mind, we conclude that the County is moving too slowly . . . for the enlightened state of Maryland and an area which is part of the metropolitan community of our Nation's Capital," he said.

"We believe that a policy which necessitates the intervention of the courts is bad for the schools . . . let us demonstrate that the education system of Maryland can keep its house in order without being hauled into court," he exhorted.

Schifter also chastised Prince Georges School Superintendent William S. Schmidt for "violating" the policy of the Prince Georges School Board by giving permission, in the midst of a recent State Board hearing, for a Negro child to enroll in a white school which is not the nearest to his home.

He insisted that since th[illegible] has been done in one case, similar permission should be granted to all children who request them. The child's father, Dervey Lomax, of College Park, said he wanted his child to attend a desegregated school.

Schifter also asked the State Board to require Prince Georges, while it is formulating its plan for total desegregation, to ease present policies by granting transfers at any time of the year and not requiring parents to name the school they want their child to attend.

14d(1) 1961

MARYLAND

Two Nearby Counties Differ on Desegregation

The Washington Post

By Carole H. Bowie
Sports Reporter

Washington, D.C.

March 13, 1961

School desegregation pat-
in Washington's two
Maryland counties—
Montgomery and Prince
Georges—differ markedly
the seventh anniversary
the Supreme Court's de-
segregation ruling nears. 72.9
cent of Montgomery's
Negro students are en-
lled in desegregated schools.
Montgomery expects to
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2.

In the same 6-year period,
rince Georges, with the
te's largest Negro enroll-
nt outside of Baltimore
ity, has enrolled 399, or 6
er cent of its 7800 Negro pu-
ils in formerly all-white
chools.

This disparity in progress
eflects the divergent ap-
roaches of school officials in
he two counties to the State's
olicy of "full compliance"
ith the Supreme Court de-
ision.

Although Negroes comprise
nly 3 per cent of Montgom-
ry's school enrollment as op-
osed to 11 per cent Negro
nrollment in Prince Georges,
he concentration of Negro
upils varies greatly through-
ut both counties, ranging up
o 50 per cent in some rural
reas.

At the outset of desegrega-
ion, both counties operated
otally segregated school fa-
ilities for Negroes. Montgom-
ry has nine all-Negro schools,
ne high school serving stu-
ents from all parts of the
ounty, one junior high, and
even elementary schools.

Prince Georges, which has
6 all-Negro schools, was in
he midst of a multi-million-
ollar building program aimed
t replacing, renovating and
onsolidating its substandard
egro school facilities.

The Montgomery County
chool Board in 1955 adopted
voluntary, transfer applica-
ion desegregation procedure,
but after two years of barely token progress junked the plan as "not even as good as grade-by-grade desegregation."

"Our thinking," former Board member Rose Kramer recalled, "was that we should do what was best for the education of our children, not what would be least disturbing or most comfortable for the community."

"We realized that if desegregation was not to take 20 years or more, we would have to take the initiative and assign pupils to schools. After all, we don't ask white children where they want to go to school," she said.

Montgomery's assignment plan called for the abandonment of four substandard Negro schools, redistricting of attendance areas for two others and conversion of three buildings to use as special school facilities.

In some cases where Negro enrollment was particularly large, Mrs. Kramer said, the Board adjusted attendance districts so that Negro enrollment in any one school would not be greater than one-third of the total.

Transitional Measures

"We made these concessions, however, with the understanding of the white and Negro communities and with no thought that they were anything other than transitional measures," Mrs. Kramer said.

Montgomery completed desegregation of its secondary schools last fall and expects to finish the job on the elementary level in September when the opening of new school buildings will permit desegregation of Taylor School in Boyds and conversion of Sandy Spring and Rock Terrace schools to other uses.

Teaching staffs and professional organizations in Montgomery are also desegregated.

"It is interesting to note," Mrs. Kramer said, "that the number of Negro teachers in the county has increased since desegregation began."

Negro enrollment in Montgomery has increased by about 400 students since 1955 and the number of Negro teachers and principals has grown from 108 to 135.

Appeal by NAACP

Shortly after the Montgomery Board adopted its assignment plan, NAACP leaders in Prince Georges, where a transfer plan was also in effect, appealed to the School Board to follow suit.

The Prince Georges Board, however, in 1957, reitereated its intention to continue the gradual voluntary desegregation recommended to the State Attorney General in 1954 by a committee of school superintendents headed by William S. Schmidt, superintendent of Prince Georges schools.

In its report, the Committee recommended a gradual transition period keyed to local conditions because of the variations in local customs and concentration of Negro poulation throughout the State.

The Schmidt report said the Supreme Court had created a new right for the Negro minority and at the same time had taken away a right—if not legal, at least countenanced in the State for a century—of white children to attend separate schools.

"No child," the Prince Georges policy states, "Will be denied the privilege of attending his nearest school or any school he wants to attend unless it is administratively not practical to admit the child because of overcrowded conditions or other valid reasons."

Written Request Required

In practice, parents wishing to transfer their children to a school other than the one they would normally attend must submit a written request to the superintendent, who was given approval and veto powers by the Board.

This policy, Schmidt said, "Puts full responsibility for desegregation on the parents with the School Board reserving the right to determine whether or not each individual case is administratively feasible."

The Board's policy was adopted after it received a report from a bi-racial citizens committee stating that "it is reasonable to expect that a program of desegregation should be started as soon as practicable in each school where classroom facilities and other conditions will permit."

The citizens committee also recommended that the County's building program be brought in line with its desegregation policy and teachers and school personnel be included in the desegregation program.

Teachers Segregated

To date, there has been no desegregation of teaching staffs or of the County's segregated professional teachers organizations. The Supreme Court decision, Schmidt has remarked, "applied only to students and no mention was made of teachers."

Desegregation of students has been limited to 30 schools, most of thesm elementaries located in suburban Washington areas. School officials are quick to point out, however, that all but a few transfer applications have been approved.

Those rejected, Schmidt said, have for the most part been requests to enter already chronically overcrowded white schools.

The County continues to operate 16 all-Negro schools, 14 of them built within the last 10 years. Two high schools, one near Upper Marlboro and one in Fairmont Heights, both less than three years old, serve Negro students from all over the County's nearly 580 square miles.

Negro Reaction

As in Southern Maryland and on the Eastern Shore, it is common for Negro students to ride by white schools on their way to class. Negro children in North Brentwood, who live within walking distance of Mt. Rainier Junior High School are assigned to Lakeland Elementary-Junior High eight miles away in College Park.

Negro leaders in Prince Georges are generally impatient with Negro parents for their failure to apply for transfers. They attribute this to satisfaction with new Negro schools and fear of community reaction.

But, on the other hand, many agree with Hester King, president of the Prince Georges NAACP, who said, "I really can't approve of the School Board's leaving this whole problem in the hands of parents."

Negro School Center Bids Rejected by Volusia Board

The Florida Times-Union
Jacksonville, Fla.

March 15, 1961

The Times-Union Bureau

DE LAND, March 14—All bids on a Negro school center at Daytona Beach were rejected today by the Volusia County school board because they were over the budgeted amount.

Thomas & Slater Inc., Daytona Beach, was apparent low of seven firms with a base bid of $1,616,283. The project involves a combined junior-senior high and vocational-technical division.

The rejection was recommended by Robert Graf, director of school planning, who said the low offer was about $50,000 above the estimate which included a contingency cushion allowance. He noted that a variance of some $52,000 was shown in the bidding on one phase involving filling and grading on the site.

The project will be readvertised after some revision.

The board approved the centralization of junior high students at the DeLand school next September when the new senior high is expected to be ready for occupancy.

This will bring the 7th and 8th grades from Orange City and Enterprise to the DeLand plant which will be enlarged to include the present high school building.

Supt. John Smiley said this is expected to boost DeLand junior high enrollment to 1,180 and may create a need for additional buses.

In an unusual move, the board hired Mrs. Margaret Green of Ormond Beach as reading consultant to coordinate new service training of teachers effective July 1. She is a language arts teacher at Daytona Beach Junior College.

Race Issue Handled Gingerly in Parts of Maryland

By Carole Bowie
Staff Reporter

White leaders in Southern Maryland and on the Eastern Shore tread gingerly about the question of school desegregation like men afraid to muddy the waters of a still pond.

Although all of the area's 12 counties have adopted policies permitting Negro parents to request transfer of their children to white schools, integration has occurred in only four — St. Mary's, Charles, Talbot and Cecil.

Don't Talk About It

School Boards in the remaining eight—Kent, Queen Anne's, Craoline, Somerset, Wicomico, Dorchester, Caroline Worcester and Calvert—report they have had no applications for transfer from parents.

"We don't like to discuss school matters in terms of race here," C. Paul Barnhart, Superintendent of Charles County Schools toldl a reporter during a recent Washington Post survey of the area. "We feel we are getting along very nicely."

In the fifth year of a stair-step desegregation plan, Charles, with a Negro enrollment of about 3000, has nine Negro students enrolled in one formerly all-white elementary school.

Barnhart, like most of the others interviewed, thinks the key to his County's calm school situation lies in the drastic upgrading of school curricula and facilities for Negroes which has occurred throughout the 12 counties in the past 10 years.

In neighboring St. Mary's County, School Superintendent Robert King admits that his School Board is amazed that so few parents have availed themselves of the opportunity to transfer their children to white schools.

Want to Test Policy

"Our Board," King said, "has approved from three to six applications almost every year since it adopted the transfer policy, but the children have never shown up. This year we had only one application."

King said the Board has made no formal inquiries into the reasons behind the Negro youngsters' failure to appear but, he said, "we have learned informally that most of them just wanted to test the sincerity of the Board's policy."

"We have worked very hard to provide good facilities for Negroes and we think we have successfully convinced our Negro people that we are going to provide equal education for all children regardless of race."

"They do not have much to gain by going to white schools," he added.

Typical of the gleaming new facilities opened to Negroes since 1950 is the $800,000 George Washington Carver High School, near Lexington Park, attended by 720 students once destined for renovated barrack classrooms.

While most school officials insist that building programs pre-dated "even the thought of integration," Talbot County School Superintendent Gerald E. Richter said residents there voted a bond issue for school construction "at the first hint of what was coming."

Today, four modern brick buildings replace the ramshackle wooden structures where Talbot County's Negro youngsters went to school less than seven years ago. "Our facilities are excellent and our curriculums are equivalent," Richter declared.

School Costs Rise

The high price of providing equivalent curricula at all schools regardless of student demand for courses is reflected in the cost of operating the all-Negro Moton High School where the per pupil tab ranges $23 higher than the County average.

Talbot's school budget this year requests salaries for two music teachers—one to serve three Negro elementary schools and the other to divide her time among seven white schools.

Last year, Richter said, "We began a class for retarded children in one of our white schools. This year, the Negro teachers want the same class offered in their schools."

"Our Negroes," he remarked, "are proud of their schools and want to keep them equal." Teachers in Talbot, like others in the Southern and Shore counties, share a unique professional equality with their white colleagues.

"If you want to know if they take any vocal part in moving for or against desegregation, I'd have to answer 'no'," said Paul Cooper, Superintendent of Schools in Worcester, the southernmost Shore county.

School officials in other areas suggested that teachers remain mute on the issue because they fear a loss of the status they enjoy in Negro schools if the segregated units were abolished.

"And to some extent they are right," one Superintendent remarked. "I have to admit that, although my Negro teachers and principals are well-qualified by academic degree standards. I feel my white teachers are more able."

Suggestions that Negro parents might fear economic or physical reprisals if they moved to disturb the tradition of segregation are met generally with pained and bewildered stares.

"Our Negroes," explained Henry P. Turner, States Attorney in Easton, "don't want to go to school with whites. They just want the right to go." Turner said he believes desegregation in Talbot County will not progress beyond the token stage.

"A lot of people went along with integration here not out of sympathy with it but because, after the Supreme Court's decision, they saw we were not going to be able to maintain the status quo," Turner said.

No Racial Animosity

But, he noted, "There is no racial animosity here. The churches have spoken out against segregation and community sentiment is divided so that people who might make trouble are afraid to act," he said.

Turner, like other leaders, cited a change in public attitude from one of vehement opposition to integration to what James Sturgis, mayor of Snow Hill describes, as one of "resolution to the fact that it is only a matter of time before integration comes here too."

Sidewalk loiterers in Easton and elsewhere on the Shore, however, tell a different story.

Rumors that the NAACP "has been around trying to stir up trouble" circulate freely on street corners. Others react to these statements with assertions that segregationist organizations in several counties that "are set up and ready to go the first time anybody tries to enter our (white) schools."

They have heard, too, of a Dorchester County parent who "was talked by the NAACP into pushing her child into white schools but changed her mind when her husband's business was threatened."

NAACP activities in Southern Maryland are very limited. On the Eastern Shore, they are conducted in conjunction with church and social meetings.

Key Acts to Whites

"The way I see it," an Oxford restaurant owner remarked, "the Negroes on the Shore will go as far as the white community is ready to have them go. And, as for most of the native residents, they don't like integration and they don't want it."

One school superintendent in a southern Eastern Shore county believes racial attitudes in his county can be compared with those in Prince Edward County, Va., where reisdents closed schools rather than accept desegregation.

"We have areas here where Negroes outnumber whites, and the senitment against any change in the system runs very high. There is no reason to think they will accept integration calmly," he added.

"The official line, what most people will tell you both white and colored, is that the Negroes are satisfied with things as they are. But," he said, "if you ask me that is wishful thinking."

Wednesday — Negro community attitude.

Teacher accused of leaving little boy in school all night

The Afro-American Sat. 10-14-61
B-3

DETROIT — Seven-year-old Gary Murphy, following an all night search, was found Friday morning in class. He said his teacher put him in a six by six-foot closet for punishment and went home without letting him out.

Baltimore

The boy quoted the teacher as saying: "What? Are you still here?" When she discovered him Friday morning in his second-grade classroom at Craft School, 3310 Vinewood.

The teacher, Shirley Hutchinson, was immediately placed under suspension by Dr. Charles Wolfe, assistant superintendent of the Board of Education.

Miss Hutchinson, 27, of 2675 Tuxedo, is a probationary teacher who is serving the first of three years in that classification.

* * *

WHEN FOUND, Gary was taken immediately to his home, 3845 Lanman, where he lives with his mother, Mrs. Irene Murphy, and a sister, Pamela, 8.

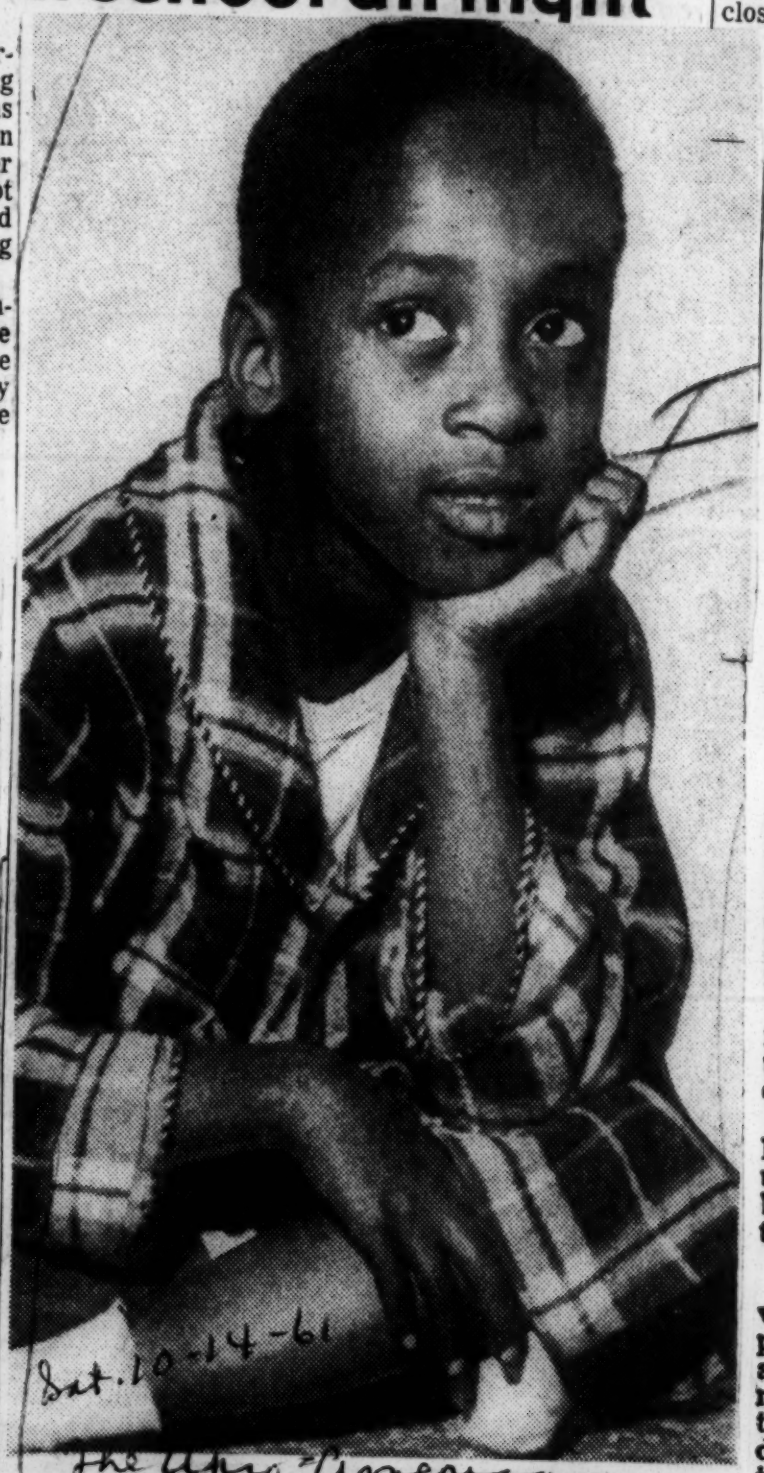
When Gary didn't return from school, Mrs. Murphy called police at 7:25 Thursday night. But their search was in vain.

At one time the boy said, "I came out of the closet once to go to the lavatory in the basement. Then I tried two doors but could not open them. "It was dark, and I was scared, so I went back to the closet."

Gary said he slept all night on the floor. Once earlier, he told his mother, he heard a janitor or someone cleaning the classroom but was too frightened to say anthing.

SCHOOL OFFICIALS quoted Miss Hutchinson as saying she had disciplined Gary for "inattention." The boy said he could not remember what he had done wrong.

Miss Hutchinson said she call out: "Gary, you can go, too," as the children trooped out of the room after getting their schoo! bags from the closet.



Sat. 10-14-61

The Afro-American

GARY MURPHY, 7 - year - old second grader, at his home in Detroit, Mich., after spending a night alone in a closet at Craft Elementary School on Detroit's southwest side. Gary was sent to the 6 by 6 foot closet by his teacher, Shirley Hutchinson, for punishment.

Charge segregation in Detroit schools

P. 16 The Afro-American
Baltimore

DETROIT—Dr. Remus G. Robinson, the only member of his race on the Board of Education, accused the Detroit Public School System of racial discrimination in the placement of teachers and produced survey figures to prove the charges.

The survey shows that colored teachers have not been assigned to most public schools in the predominately white West, Northwest and Northeast districts.

Detroit 10-14-61

MADE LAST spring by the 36-member Citizens Advisory Committee, the survey shows only 10 colored employees—including teachers, janitors, kitchen help and clerks—in the districts named.

There must be something in our personnel procedures that permits this discrepancy," Dr. Robinson said.

He called for a "sharp look" at the procedures and urged a new set of records—by race — on placement teachers.

* * *

"THIS WOULD not be in violation of the Fair Employment Practices Act," he said. "It would be a separate list and could be used to gauge how well our nondiscrimination policy is being implemented."

Dr. Robinson had voiced concern at other board meetings over possible racial discrimination but never actually charged that there were discrimination practices.

White Michigan Parents Now Protest School Integration

Jackson Daily News p. 6
Jackson, Miss.
Jan 1-22-61

Hit At Mass Transportation Of Students To Other Areas

By JOSEPH FISHER

DETROIT, Mich. — As the country makes elaborate preparations for ceremonial observance of the Civil War Centennial, an unscheduled real life pageant is developing in the state of Louisiana. Interest everywhere are watching with great interest as this drama proceeds, remembering the political power contest which ended with catastrophic consequences just a hundred years ago. The current contest involves the public schools of the Pelican state. It concerns racial integration, specifically if, when, to what extent and under whose direction it shall take place.

The people of Michigan, especially those of Detroit, are interested vitally in the struggles of their fellow-Americans in Louisiana, and hope is being expressed in many quarters here that the people of the South may be successful in their resistance to what some Northerners term government oppression. Folks here may not understand all the fine legal points and may have trouble in defining exactly the "ism" involved, but they do know it is not government by the consent of the governed."

The people of Detroit have good cause for concern over the situation in the South for they, too, have integration problems, brought on here, however, by local politicians, not by the precedent-breaking 1954 United States Supreme Court decision.

Louisiana's travail is a result of that decision, which held that a child may not solely because of his race be assigned to a school attended only by those of that race.

NOT ILLEGAL

The 1954 declaration did not say that there is anything illegal in schools in which all students in a school happen to be of the same race as an incident of neighborhood racial patterns. In other words all-white schools in all-white neighborhoods and all-negro schools in all-negro neighborhoods were not affected by this decision. This circumstance is deplored by maniac sociologists dedicated to the unproved proposition that somehow, someway racial integration benefits somebody yet unidentified. Of more importance, forked-tongued politicians have recognized in this situation an opportunity for profitable mischief and in several Northern cities they have sponsored lawsuits designed to force the transportation of non-white pupils to schools in all-white neighborhoods. In other cases pressure has been applied to school boards simply to order arbitrary transfers in order to bring about racial integration. According to a group of northwest Detroit parents, this type of political influence was responsible for the recent Detroit School Board transfer from distant areas of 314 negro children to two all-white schools and one with very few non-white pupils. These parents expressed their views in the following letter, copies of which were sent to the superintendent of education and to each member of the school board:

PARENTS PROTEST

"The Parents Committee of Schaefer-Meyers Property Owners Association are gravely disturbed over the prospect of your proposed transfer of pupils to Edgar Guest School, which serves the children of our community. We have discussed this matter exhaustively and have decided to transmit our views to you.

"(1) We believe the Detroit School Board could have provided adequate school facilities in the areas from which you propose to remove pupils. The funds for this purpose have been available for more than a year and the school board has had ample advance information concerning school building requirements for the 1960-61 season.

"(2). We regret the suggestion that this is a routine administrative problem. It is obvious that you have succumbed to political pressure and that this pressure has outweighed the wishes of the parents of our community and the welfare of our children. Everyone is familiar with the fact that this pressure is coming from a group which calls itself the Committee for Equal Education and which is composed of amateur sociologists determined to impose their will on the community. It is these people who have complained vociferously about the common sense arrangement under which area children are taught in area schools by area teachers.

"(3) We believe the family is the basic unit of American society. Homes are established in neighborhoods with environments acceptable by parents, who have the right and responsibility of bringing up their children under home and school conditions of their own choosing. We shall exercise this right and carry out this responsibility. We shall not permit our children to become victims of the cruel political power program being conducted by the self styled Committee for Equal Education.

"(4) We believe the parents of the pupils you propose to transfer have the same right to have their children educated in their own schools, and that these youngsters, too, are victims of this ruthless program.

"(5) The right of the state to impose its will on parents has been established in Facist and Communist countries, but not here in free America, notwithstanding the insolence of crackpot sociologists who would have it otherwise."

The views expressed in this letter are typical of those held by a vast majority of Michiganders interviewed by this reporter. Politically inspired, government-enforced racial integration is resented here at least as bitterly as in the South. Louisianans fighting to retain control of their schools have the best wishes of millions in this northern state.

Race Issue Threatens Rector's Board Seat

The Courier-Journal Louisville, Ky.

© New York Times News Service

Jackson, Miss., April 14.—The board of trustees of St. Andrew's Protestant Episcopal Private Day School has voted to remove the rector, the Rev. Edward H. Harrison, from the board because he attended a racially integrated meeting in his parish house. The school has only white pupils.

Final action on the board's recommendation, adopted unanimously by eight members, rests with the vestrymen of the church. They head the private corporation under which the elementary school is operated and chartered. They have not yet taken up the board's decision.

Recording Obtained

The basis of the complaint against the rector is a tape recording of a conversation with two persons who attended the special meeting March 28.

The recording was obtained through a ruse by unidentified persons who fraudulently used the name of Claude Sitton, Southern correspondent for The New York Times.

Mrs. Wallis Cchutt of Jackson, a white woman who is a member of the State advisory committee to the Federal Civil Rights Commission, was one of two persons whose conversations were taped without their knowledge.

The tape recording of her conversation was played before the day school's board by William T. Clark, chairman of the local chapter of the John Birch Society. He is a communicant at St. Andrews.

Boss To Honor State Negroes

Memphis Daily News 4-11-61 P7

At Dedication

TAYLORSVILLE, Miss. (UPI)—Gov. Ross Barnett says he will pay "honor and tribute" to two nationally famous Laurel Negroes when he dedicates the new training school for Negroes.

The governor said Monday he would express the state's appreciation for the achievements of Leontyne Price and Ralph Boston. The singer recently made her Metropolitan Opera debut, singing the lead in Verdi's "Il Trovatore." Boston last year won the Olympic broad jump crown.

Leontyne and Boston will be out of the state during the afternoon ceremony here, but Barnett said he hoped their parents would be on hand to receive in their behalf a "certificate of appreciation."

A statement from the governor's office said the two are "among many colored people of Mississippi that we are extremely proud of."

Columbus Sees Packed Schools

The Commercial Appeal Memphis Tenn. Aug. 31, 1961

Estimated 8,723 To Enroll Tax Capacity Despite New Classrooms

From The Commercial Appeal Columbus, Miss., Bureau

COLUMBUS, Miss., Aug. 30.—Despite the addition this summer of a total of 114 new classrooms, including an entire new junior high school, the Columbus city school system will once more be bumping the capacity load mark Friday when an estimated 8,723 students enroll for the new semester.

Assistant Supt. W. F. 'Sonny' Bruce said an estimated 5,335 students are expected in the white schools and an estimated 3,388 in the Negro schools. This is an increase of 1,180 over last year's total enrollment.

The city school system has had 11 separate building projects under way this summer and has recently added 25 additional teachers to the system.

The elementary grades are braced for their annual increase, with estimates foreseeing more than 1,000 students enrolling in the first grade this year.

Breakdown of Figures

In a breakdown of classroom figures, Supt. Bruce released these estimates for the new year in comparison with the actual enrollment figures from last year:

White elementary—Estimated enrollment of 3,064. Actual enrollment last year was 2,650, showing an increase of 414 this year.

Eleven new teachers, making a total of 104, were added for this division.

White junior high—Estimated enrollment of 893 as compared to last year's actual enrollment of 788. An increase of 105 students with two additional teachers added making a total of 30.

White senior high—Estimated enrollmentof 1,378 as compared to last year's actual enrollment of 1,078. An increase of 300 students with seven teachers added for a total of 54.

Estimated increase in white grades 1-12 is 819 with increase of 20 teachers.

Negro elementary—Estimated enrollment of 2,021 as compared to last year's enrollment of 1952. An increase of 69 with four teachers added for a total of 46.

Negro junior high—Estimated enrollment of 548, as compared to last year's 525. An increase of 23 students. No additional teachers added.

Increase of 269

Negro senior high—Estimated enrollment of 819, compared to last year's actual enrollment of 550. An increase of 269 students with one teacher added for a total of 27.

Estimated enrollment in grades 1-12 is 361 with five teachers added.

And here's the new building projects to take care of the expected increased enrollment:

Lee High School has added a new shop and a 250-car parking lot, but no change in number of class rooms.

Barrow Elementary has added six regular classrooms to go with its former seven.

Brandon Elementary has added six regular classrooms to go with its original 18.

A 240-seating capacity cafeteria has been added at Franklin Elementary to replace the old 90 seating capacity dining hall.

Cook Junior High opens its doors for the first time with 23 regular (30 pupil capacity) classrooms, seven special classrooms of 30-pupil capacity that will, in total, handle 900 students. In addition there are six special rooms for small groups and two special rooms for large groups of students.

Ast. Supt. Bruce said what the classroom figures show, including the additions this summer, is a student capacity of 5210. Thus, with an expected enrollment of 5,335, more building projects are in the immediate future.

Negro Schools

In the Negro schools, Hunt High School, Columbus' only Negro high school, the classroom total has been more than doubled. A total of 20 regular classrooms were added to the original 18. Also a cafeteria and a combined cafeteria-auditorium-gymnasium that burned last year.

Coleman Elementary has added six rooms to its original 12 and Hughes Elementary has added six to its original 14.

This makes 32 additional classrooms for Negroes to take care of an additional 960 students. With an estimated enrollment of 3,388, the new additions should adequately take care of a normal growth next year. However, the assistant superintendent pointed out, at least one complete new school is on the drafting boards.

14d(1) 1961

MISSISSIPPI

Three Cast Doubts On Private Schools

Other Plans Urged In Case Of Integration

JACKSON, Miss., Jan. 20. (UPI) — Two members of the State College Board and a segregationist judge said Friday they doubted the worth of private schools in any Mississippi integration crisis.

Board members R. D. Morrow and Charles Fair and Circuit Judge Tom Brady, Mississippi's Democratic national committeeman, said state leaders should begin planning what to do if any future integration attempts result in closure of public schools.

The three said they agreed with a suggestion that the Mississippi Parent-Teacher Association should begin training parents to teach their own children in such a case.

Judge Brady, of Brookhaven, said private schools "could function only imperfectly. We could not operate them on a wholesale basis. The cost would be prohibitive."

He said private schools could tutor only about 30 per cent of Mississippi's children.

Mr. Fair, a Louisville attorney, said, "I look with doubt on private schools for all people unless public funds could be used, in which case they would not be completely private."

Mr. Morrow, a former state treasurer of Brandon, said he thinks the poorer children who could not afford private schools "should have the same opportunity" as those who could afford them.

"When you apply this yardstick, you've got to pay the way for poor children," said Mr. Morrow. "If people were asked to pay $400 or $500 for private schools where they now pay $50, I think they would think a long time before saying 'Yes.'"

Contracts Are Let On Negro Schools

New Plants Will Be Built At Sardis, Como

SARDIS, Miss., Feb. 17. — Construction of two Negro school plants will get under way soon in the North Panola County School District.

J. E. Staub, Inc., of Fulton, Miss., was the low bidder for the general contract, $344,490. Harden Plumbing and Heating Co. of Grenada was awarded a $59,033 mechanical contract and Warren Electric Construction Co. of Senatobia took the electrical contract with a low bid of $36,683. Another $7,000 will be spent for grading at the site of the Como school.

The Sardis unit will be an elementary building with more than 17,600 square feet, housing 13 classrooms, a combination cafeteria and auditorium, kitchen, office and storage. The one-story building will be located just west of the Sardis city limits.

The Como plant will consist of three new buildings added to existing facilities. A new elementary building will house 14 classrooms, an auditorium and cafeteria and will occupy about 20,000 square feet.

The Negro high school to be located in Como will be two stories with 16 classrooms and an office. A new gymnasium also will be constructed and contain 11,000 square feet.

J. L. Breazeale, superintendent of North Panola Consolidated Schools, said these schools will eliminate several smaller schools.

RALLIES TEACHERS

Tubb Asks Don't Close Schools

By PAT FLYNN
Daily News Staff Writer

Mississippi should not close its public schools even as a last resort against integration, state Superintendent of Education J. M. Tubb told the Mississippi Education Association last night.

"When the schools art closed," said Tubb, "the door of opportunity is also closed in the face of ambitious youth and the wheels of industry stop at the borders of the state."

Tubb said the fate of the 91-year-old public school system was hanging in the balance.

"In the day of last resort," he said, "let us hope that state leaders will use efforts to solve the problem other than closing the schools.

He called upon the teachers to let their voices be heard in protest to closing the schools.

Tubb addressed the teachers' first general assembly last night, immediately preceding Holmes County Rep. J. P. Love, chairman of the house committee on education, who explained the current legislative study on education to the teachers.

Holmes said that "we are facing a period in which our expenditures must of necessity get larger, while the nation and the state is in a time of economic downdraft."

BETTER UTILIZATION

Because of this, he said, the legislative study is charged with finding better uses for existing facilities, as well as for new ones.

Love said the first recommendations from the board would come May 2, when six advisory boards submit their findings to the committee.

Preceding the main speaker of the evening, Dr. Carl Winters of Chicago, Mrs. Nell Thomas, president of the MEA, gave an address on the value of a true teacher.

Mrs. Thomas listed the seven qualifications of a good teacher as knowledge, technical skill, a deep-going understanding of children, moral ideals, a true experimental spirit, a stout heart, a deep and abiding faith.

She said the field of education had been least successful in the field of moral ideals.

"For centuries teachers have taught facts and what to do with, or about, them," she said; "but we have to a dangerous extent forgotten to teach what ought to be done with, or about, them."

She listed the main problem in education today as the staggering shortage of qualified teachers.

At the conclusion of her address, actually her last to the MEA body as their president, Mrs. Thomas was presented with a mink stole by the professional staff of the Greenville public schools and the board of education. The presentation was made by Hal Buchanan, superintendent of the Greenville schools, and her daughter, Vicki.

The main speaker, Dr. Winters, addressed the group on "The Fine Art of Living."

Telling the teachers that living could not be defined, but must be illustrated, Dr. Winters went into a series of illustrations, some hilariously funny, others inspirational, on how a teacher lives through her students.

The Baptist minister compared teaching to the ministry, saying they had the same pay, the same problems and the same privileges.

"All the pay of a teacher is not in the envelope," he said. "When you see a flicker of light come through some thick skull, that is payment indeed."

Dr. Winters, who is an inspirational lecturer for General Motors, said he had devised a formula 31 years ago when he went into the ministry. He said he would give eight hours a day in the ministry, eight hours to serving humanity in some other way.

A teacher, he said is an "intellectual traffic cop whose duty it is to arrange productive collisions."

He called the life of a child the finest of fine arts, and said that teachers as well as parents and ministers were the artists called upon to paint this masterpiece.

He charged the teachers with bringing their instruction up to the space age level, and told them they were still in the launching pad and must not be afraid to get out into orbit with education.

A person has got to know a lot about a lot of things just to stay alive in this complex world, he said, and the need for truly intelligent leaders has never been as great as it is now.

"God Almighty never rounded any important curve in history with an ignoramus at the head of the procession."

He told the teachers to build, to serve, and to have some magnificent obsessions.

Miss Mary Moberly of Laurel was announced as the new director of District No. 8, following balloting all day yesterday by the House of Delegates.

SCHOOL BOARD ACTS

Improved Negro Facilities Planned At Greenville

GREENVILLE, Miss., March 7.—The Greenville School Board Monday night developed plans for a new Negro stadium, a new Negro elementary school and major repairs to an existing Negro elementary school.

The board agreed to float a short-term loan of $15,000 to $18,000 to pay for major renovations at Armstrong School. The loan would be repaid through a bond issue.

The next decision of the board was to pay for the proposed Negro stadium through a bond issue, and finally the board reviewed preliminary plans by engineer F. E. Hall and associates for a new elementary school estimated to cost $313,100, also to be paid for from the bond issue.

The cost of the stadium project is estimated at $25,520, Mr. Hall told the board.

IN MISSISSIPPI

Indian Schooling To Be Improved

WASHINGTON (AP) — President Kennedy Wednesday ordered quick action to improve schooling and housing facilities for Indian children in Mississippi's Choctaw Reservation.

He also ordered similar steps be taken to aid Navajo children in New Mexico and Arizona and Eskimos in Alaska.

Kennedy told his news conference that 5,000 Indians and Eskimo children under the Bureau of Indian Affairs cannot go to school because there are no facilities for them.

He also said that others are housed in overcrowded boarding facilities, some "hazardous to their health and safety."

He said he has ordered Interior Secretary Stewart Udall to submit plans to Congress to correct the situation.

The Indian Bureau said 300 Choctaws in Mississippi were not in schol last fiscal year because of a lack of school seats.



COMMUNITY'S KITCHEN — Mrs. Brodie Billingsley (left), president of the Looxahoma Home Demonstration Club in Tate County, Miss., and Mrs. Brewer Golden, the club's vice president, do cleanup work in the kitchen of the old Looxahoma school which is being converted into a community center, with the club as sponsor.

—Photo by Mildred Meacham

Closed Schools Take Shape As New Community Centers

By MILDRED MEACHAM
Special to The Commercial Appeal

SENATOBIA, Miss., June 27.—A classified ad in the local county newspaper read: "Schoolhouse for sale."

Five rural Tate County schools, long the center of community life, were closed three years ago under the Mississippi school reorganization program. Now the school buildings are being reinstated in usefulness to their communities.

Law allows that any unused school facilities can be transferred to a community as long as they are reserved for community use and are kept up by the community, according to C. B. Walker, Tate County superintendent of education.

Four communities, Looxahoma, Greenleaf, Crockett, and Sarah, are taking advantage of the opportunity.

Leads Restoration.

The Looxahoma Home Demonstration Club has taken the leadership in the restoration of the Looxahoma shcool as a community center. Enthusiastic club members are engaged in making the building and grounds attractive. Ample space and facilities for community affairs and private parties are provided in the former school lunchroom and adjoining kitchen, which have been painted and decorated. A large classroom is being converted into quarters for the use of the club.

Mr. Walker finds that working with an organized unit such as the Home Demonstration Clubs is the best course in developing the school facilities for community benefit.

The Greenleaf Home Demonstration Club is following a pattern similar to that of Looxahoma. The Sarah school building has been dismantled, but plans are to convert the teachers' home into a community center, again through the efforts of the local Home Demonstration Club.

Many Uses

The Crockett school facilities are the center of varied activity. The teachers' home is the Home Demonstration Club's quarters. The county school transportation system utilizes the school building, gymnasium, and grounds. The gymnasium has been converted into a shop by cutting into one side of the building and installing three ramps and doors for buses to drive in. The school building contains an apartment for the transportation supervisor, Laverne Hurt, and his family, and four rooms for storage of parts.

Appeals Court Rules

Little Rock Told To Speed Mixing

ST. LOUIS, Mo. (AP) — The 8th U.S. Circuit Court of Appeals ruled Thursday the Little Rock, Ark., School Board must speed up desegregation of [illegible] city's schools.

The court held that constitutional rights of Negro pupils had been violated by procedures used in making assignments to various schools under the Arkansas Pupil Placement Act.

The appeals court thus upheld arguments by attorneys for 14 Negro pupils who had contended that the board had established "a governmental framework to prevent desegregation."

The appellate court reversed a Sept. 2 ruling by U.S. Dist. Judge John E. Miller of Little Rock, who had ruled that the board was in compliance with the law.

The high court directed Judge Miller to retain jurisdiction, which Miller rejected in his September decision.

The appeals court said the previous failure of the school board to make progress toward desegregation might be justified. It cited the 1957-58 school year when Central High at Little Rock operated under supervision of federal troops and the fact the schools were completely closed during 1958-59.

"However," the court said, "as we approach the 1961-62 school year, sufficient time has elapsed to compel affirmative action in this regard to the end that there may be integration in more than a token fashion."

Schools Bar 18 Negroes In Missouri

ST. LOUIS (AP) — Eighteen Negro students have been denied admittance to four Mississippi County schools, the Post-Dispatch said despite the intervention of Missouri Atty. Gen. Thomas F. Eagleton and the Missouri Human Rights Commission.

Eagleton warned county school officials a federal court order might be issued to force them to comply with the U.S. Supreme Court's 1954 school integration order.

In addition, the Post-Dispatch said, Eagleton and Winston Clark, chairman of the Human Rights Commission, made a trip to Charleston, Mo., Mississippi County seat, in a fruitless effort to persuade school authorities to admit the students.

The students, who have missed classes for two months, will resume studies Monday in a segregated school in New Madrid County, a 20-mile bus trip from their homes.

"It is fundamentally wrong for these students not to be admitted to school in their own community," Eagleton said, "and fundamentally wrong to have them attend segregated facilities."

Clyde Cahill of St. Louis, chairman of the state legal redress committee of the National Association for the Advancement of Colored People, said the NAACP decided to postpone possible legal action on behalf of the students because they had been accepted by New Madrid school authorities.

Secretary of State Warren Hearnes, who lives in Charlston, described the situation as a fight over school district reorganization.

"The fact these children are Negroes," Hearnes told the Post-Dispatch, "is only incidental."

Boot-Heel Section Is Guilty

JEFFERSON CITY, Mo. — Negro school children in Missouri's southeastern "boot-heel" section are victims of racial discrimination as vicious as that which is practiced in the Deep South, it was learned this week.

Because schools near which they live will not admit them, 18 Negro children of Mississippi county have not attended school at all this year.

Fourteen others went to school for the first time this year when they were accepted on Monday, Nov. 13, at the Anniston high school.

May File Suit

The NAACP has threatened to file a suit to force the integration of schools in three counties, Mississippi, Pemiscot and New Madrid, which are spoiling Missouri's record of compliance with the U. S. Supreme Court's decision of May, 1954, outlawing segregation in public schools.

Mississippi county has only token integration while Pemiscot and New Madrid counties have refused to de-segregate at all, according to Clyde Cahill, chairman of the NAACP state legal redress committee and an assistant circuit attorney in St. Louis.

Cahill said that the NAACP had delayed the filing of a lawsuit, hoping that the school districts of these three counties could be persuaded to obey the law. "We prefer conciliation to litigation," he said.

In appealing to the school authorities in Southeast Missouri, Cahill had the assistance of Attorney General Thomas F. Eagleton and the Missouri Human Rights Commission but so far their pleas have fallen upon deaf ears.

Attorney General Intervenes

Attorney General Eagleton and Winston Cook, chairman of the state Commission on Human Rights, made a trip on November 7, to Charleston, Mo., the seat of Mississippi county, in an effort to persuade school officials to drop their color bars.

The attorney general and Mr. Cook met with the superintendents of three school districts, Luther E. Smith of Anniston, Mo., C. E. Papmiller of East Prairie and J. H. Marshall of Charleston.

Following the conference, Eagleton said that the high school districts which have refused to admit the Negro children do not appear to be violating any state law. School districts do not have to accept children from other districts, an attorney general's opinion of 1951 said. The schools accept white students from other districts but will not admit Negroes.

But while no state law is being violated, Eagleton pointed out to the school officials that he believes the denial of admittance to the Negro children is a violation of the equal protection clause of the 14th amendment to the U. S. Constitution.

The school officials of Mississippi county said that they did not feel it is fair to admit students from outside their districts because they do not pay a proportionate share of the expenses.

Violate 14th Amendment

In a memorandum issued to the school officials at Charleston on November 7, Attorney General Eagleton said:

"On September 15, 1961, the attorney general's office received information that some 30 or more Negro children of high school age, all residents of Mississippi county, were finding it difficult to gain admittance to any high school in their county.

"Many of these children had attended Lincoln high school in Charleston during the 1960-61 academic year, but were denied admittance to said high school and other high schools for the academic year of 1961-62.

"The attorney general's office forwarded this information to the Missouri Commission on Human Rights for its investigation. The commission discovered that the original information was correct.

"Some 33 Negro children are not at the present time attending any high school. There is no high school in any of the particular school districts in which these children reside. All of the white children who reside in these same school districts have been voluntarily accepted by the high schools in Charleston, Anniston and East Prairie.

"The officials of these high schools maintain that they have no positive obligation to accept students in neighboring school districts, that such is a discretionary matter, that their high schools are overcrowded and that the acceptance of these students would impose a financial strain on their school districts.

U. S. Government Interested

"Finally, I should point out that I have been informed that the federal government is aware of this situation and is very much interested in its ultimate solution . . . It is my considered opinion that to deny admittance to these 33 Negro children constitutes a violation of the Equal Protection clause of the 14th amendment to the United States constitution. Ultimately, if this situation is not remedied, I feel that the federal government would have to take remedial action.

"By and large, race relations and school integration have evolved peacefully and amicably here in Missouri. Of course, we have from time to time experienced some difficulties. However, in comparison to many other states, Missouri's record in this sensitive field is one of the best.

"It is my hope that some workable and fair solution can be reached. I would hate to see Mississippi county and Missouri as a whole receive the stigma which would inevitably result from federal intervention in this matter. We are making wonderful progress in this state economically, socially, etc. Let us not thwart this progress by permitting a situation in Mississippi county to create a climate of ill-will and distrust which will work to the detriment of the entire state."

As a result of the conference between the school officials and the attorney general and Mr. Cook, the Anniston high school agreed to accept 14 children who are now attending integrated classes there.

New Madrid county agreed to accept the remaining 18 Negro children on Monday, Nov. 28, but the children would have to travel 20 miles daily by bus to attend a segregated school.

Rather than accept segregated facilities and the long bus ride, the parents of the children decided not to enroll them in the New Madrid school.

The 18 children now out of school entirely live in the Pinhook school district. The 14 now attending school in Anniston live in Dorena and Wolf Island.

$9,000 jobs vacant for lack of teachers

PRINCETON, N.J. — I know of $9,000-per-year jobs at colored colleges in the South (that are) vacant because there are not enough teachers."

This was the statement of Dr. Hans Rosenhaupt as he announced a program designed to improve the instruction at colored colleges in the South.

Dr. Rosenhaupt, director of the Woodrow Wilson National Fellowship Foundation, said 29 colored senior students would receive joint stipends from the Foundation and from the Southern Educational Foundation.

Each grant provides for a summer course at one of seven southern institutions and a year of graduate study at a school of the student's choice.

"OUR JOINT program," Dr. Rosenhaupt, "is the first to attack the problem of the critical shortage of colored college teachers."

He added that the need for colored college teachers "is far more acute than the need for white teachers," and

"The shortage is due in part to the fact that the market is restricted. Many colored colleges in the South are forbidden by law to hire white teachers."

The 11-week summer courses will be given at the Universities of Oklahoma, Florida, Texas, Kentucky and Tennessee and at George Peabody and North Carolina Colleges.

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THE WINNERS and the schools they attend are: James S. Archambeau, Howard; Malcolm Q. Barnes, Jackson State; Linda Brown, Bennett; Jane M. Browne, Knoxville; Melvin A. Butler, Morehouse; Alfonso Cartwright, Tennessee State; Also: Joseph E. Chevalier, Southern; Thomas W. Cole Jr., Wiley; Hozie Crittendeon, Fort Valley; Gertrude Fraser, Hampton; George G. Gentry, Morgan; Albert Hinton, Hampton; Alton Hornsby, Morehouse; Frank A. Jackson, Alabama State; Charles F. Lyles, Morehouse;

Also: Edna A. Maple, LeMoyne; Robert H. McLean, Tennessee State; Andrew A. Miller, Alabama State; Thomas J. Patterson, Alcorn; Betty Parry, Stillman; Croalyn Pinkney, Southern; Harold Powell, South Carolina State;

Also: Roberta M. Ratcliffe, Atlanta U.; Mary A. Smith, Morris Brown; Herschelle Sullivan, Spelman; William H. Taylor, Tougaloo; Ruby Waiters, Benedict; George W. Whitfield, Arkansas A and M; and Hilda J. Young, Tougaloo.

Negro Parents Picket School In Montclair for the Second Day

Special to The New York Times.

MONTCLAIR, N. J., Sept. 8—A group of Negro parents who object to the reopening of Glenfield School indicated today that they were prepared for a protracted fight.

They picketed the predominantly Negro school for the second day to dramatize their protest and spark a student boycott. At the same time plans were made to win community support over the week-end.

Today's demonstration by as many as forty persons at a time started at 7:30 A. M. and continued until 4 P. M. The according to school officials, was not as effective as yesterday when classes opened for the fall term.

It was estimated that 70 per cent of the 208 junior high school pupils attended classes, compared with 62 per cent yesterday. Attendance in the elementary school in the building was reported about the same as yesterday, when 47 per cent of the 548 pupils showed up.

Meanwhile, the Parents School Emergency Committee was organized and will sponsor meetings at the Neighborhood Center, across the street from the school.

The Rev. Matthew G. Carter, chairman of the Community Relations Committee, urged ministers in the Clergy Club of Montclair to "give these parents moral support from your pulpit."

Glenfield Junior High School, with a 90 per cent Negro student body, has been the target of Negro groups for many years. Mrs. Ann Johnson, a spokesman for the parents, charged "educational discrimination" because of low enrollment at Glenfield.

"We don't have courses that are offered in the other three junior high schools," she asserted. "We have 25 per cent less instructional hours in English and science and more hours of home economics.

"Other junior high school students in town are grouped according to their ability in each subject. The Board of Education and the school administration say that this is impossible in Glenfield because of the low enrollment."

The parents have the backing of the Montclair Chapter of the National Association for the Advancement of Colored People. Joseph Greene, its chairman, said the group was seeking "equal educational opportunities" for the students by urging their distribution among the three other schools in town.

NEWARK HONORS NEGRO TEACHERS

Elevating 3 to High Posts, Board Sets a Precedent

Special to The New York Times.

NEWARK, Sept. 27—Three Negro school teachers have been promoted to posts never before held by members of their race in Newark. Two have been assigned secondary school administrative jobs and the third a central office supervisory position.

Those named by the Board of Education at a meeting last night were:

Robert A. Nett, mathematics teacher at Barringer High School, to acting vice principal at West Side High School.

James Thomas Flagg Jr., general science teacher at Broadway Junior High School, to acting vice principal at West Kinney Junior High.

Hubert E. Crawford, audio-visual teacher in the Department of Libraries and Audio-Visual Education, to assistant supervisor of audio-visual education, a new title.

The manner in which the appointments were made was criticized by representatives of the Newark Teachers Association, the Newark Teachers Union and Charles Brodsky, principal of West Side High School. They accused the board of bypassing and discriminating against non-Negroes.

The appointments were recommended by Dr. Edward F. Kennelly, Superintendent of Schools, in line with suggestions made at an earlier meeting of the board by Morris Fuchs, its president.

Mr. Fuchs had proposed that the superintendent recommend Negroes for appointment to supervisory posts where vacancies occurred.

The board also was informed by Clyde Ferguson, chairman of the legal defense committee of the Newark branch of the National Association for the Advancement of Colored People, that the group had retained counsel to press its complaints that the board's redistricting plan maintained and created segregated schools.

In another action the board agreed to give $50,999 in back pay to Dr. Robert Lowenstein, who resumed teaching this month at Barringer High School after an absence of more than six years.

He had been dismissed by the board on charges stemming from his invoking the Fifth Amendment in refusing to answer questions about possible Communist affiliations in an appearance before the House Committee on Un-American Activities. His reinstatement was ordeder by the State Supreme Court.

Officials Irked At Negro Over Charge Against Schools

NEWARK, N.J. (AP)—City officials are miffed over remarks made last week by William Clark when he sent his 14 - year - old daughter off to school in Moscow.

"There is more to this case than meets the eye," said Dr. David E. Weingast, assistant superintendent in charge of secondary education. "There's no indication in her school history that she was not content here."

Clark, a Negro laborer, said he was dissatisfied with the education his daughter, Huldah, was receiving here. The girl was a student in Webster Junior High School last year.

"There is no evidence whatsoever that Mr. Clark ever came to the school to talk over the problems of Huldah or at any time lodged any kind of complaint," Weingast said at a school board meeting Tuesday night.

Morris Fuchs, president of the board, said he was surprised to see the publicity given Huldah's departure.

"I'm amazed that a man who has never been to Russia and does not know what is going on there can send his child there," he said. "There is discrimination in Russia to the nth degree."

Clark said his daughter was taking advantage of an offer of a Soviet scholarship made by Premier Khrushchev last Oct. 8 when he was in the United States for a meeting of the U.N. General Assembly. He told the Soviet leader thtat Negroes in the United States do not get equal educational opportunities to those received by white persons.

Huldah arrived in Moscow last weekend.

PARENTS AT P.S. 119 TO PRESS BOYCOTT

The New York Times

Pastor Tells 200 at Meeting They Are Treated Like '2d-Class Citizens'

P. 39 M

BOARD DELAY ASSAILED

Wed. 10-4-61

Plan to Speed School Repair in Harlem by Overtime Is Termed Too Late

New York

By ROBERT H. TERTE

The parents of children attending Public School 119 in Harlem charged yesterday that the Board of Education had treated them as "second-class citizens."

After a meeting of an hour and forty-five minutes with district school officials, the parents decided unanimously to continue picketing and boycotting the school. For the second day nearly 900 of the school's 1,300 pupils stayed away from classes, according to Dr. Elliott S. Shapiro, principal of the school at 257 West 133d Street.

Despite assurances from school officials that the building was safe and a promise that repairs would be speeded on an overtime basis, the parents renewed their demands that the children be transferred until work on the building had been completed.

Mrs. Doris Joubert, president of the Parents Association, said the parents had complained to the school board for years about conditions at the school, but had obtained no results. She said only a dramatic demonstration like the school boycott, could arouse the board to action.

Action Ordered in May

The parents contend that their children are being deprived of a proper education by being forced to attend classes that are continually shifted and disrupted by repair work in the building.

Immediate action on conditions in the school was ordered last May by Mayor Wagner when the appearance of a rat disrupted a class while he was inspecting he building. Work on a $68,500 program to renovate the school, which is to be replaced within a few years, did not begin until shortly before classes started on Sept. 7.

"The board promised that the work would be done over the summer," Mrs. Joubert said. "If they were thinking of our children, they would have arranged for overtime then to get the repairs completed."

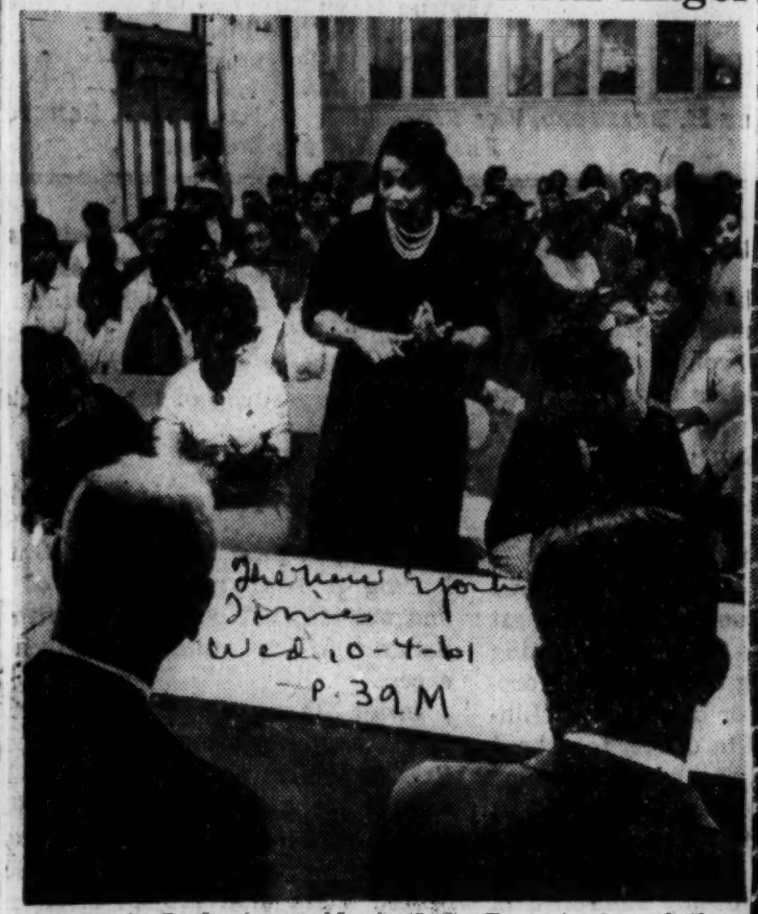
Charles M. Shapp, assistant superintendent of schools in charge of the school district, said that as a result of the parents' requests on Monday he arranged within forty-eight hours for overtime and weekend work to speed completion of the project.

Earlier Delay Assailed

He advised the parents to end the boycott, particularly for the safety of children of working parents. Those children are better off in school than roaming the streets, Dr. Shapp said. He maintained there was no space available in other Manhattan schools for the temporary transfer of P. S. 119 pupils.

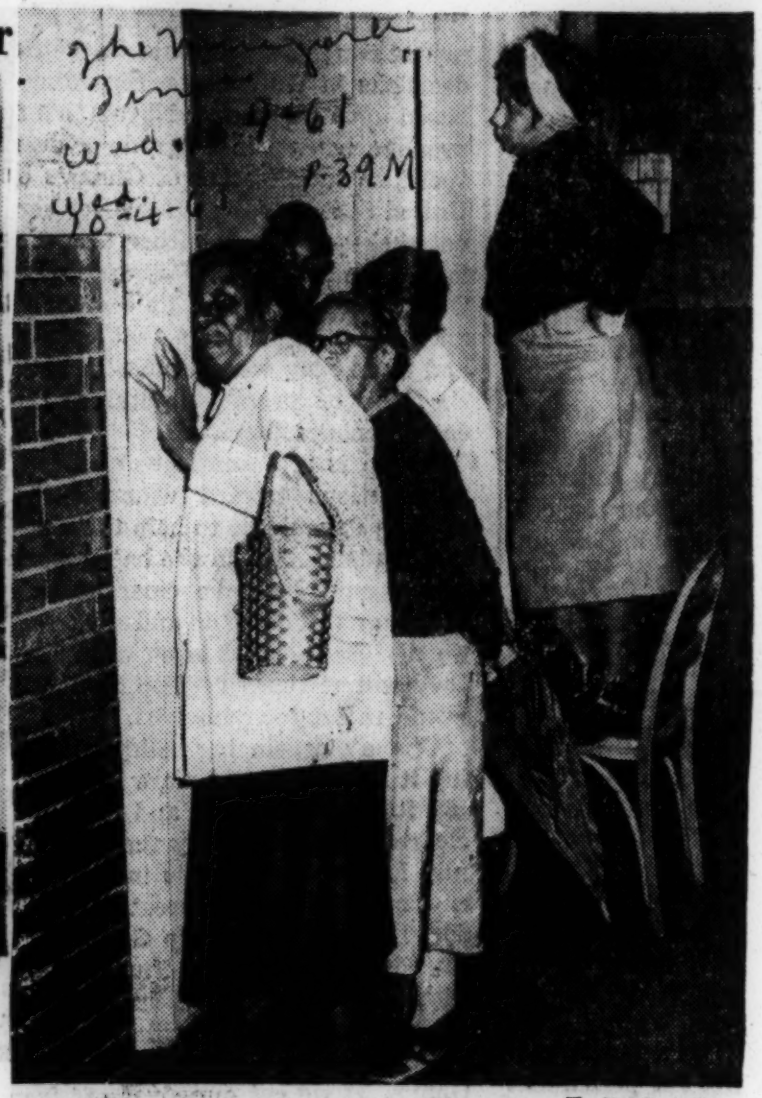
The Rev. Robert E. Hood of St. Philip's Protestant Episcopal Church, 215 West 133d Street, said it was "highly questionable why the board didn't move on P. S. 119 until the Mayor visited it accompanied by TV cameramen and reporters."

P. S. 119 Parents Vent Their Anger



Mrs. Doris Joubert, president of the Parents Association of Public School 119 in Harlem, addresses Board of Education representatives in a meeting in school's lunchroom.

NEW YORK



The New York Times

Standing room is in order at the crowded meeting. The parents contend that repairs on school should have been made during summer months, not during the regular term.

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OCTOBER

NEW YORK

Parents Picket Harlem School, Charge Conditions Are Unsafe

The New York Times p. 38
Tues 10-3-61
New York N. Y.

Group Asks Transfer of Pupils Until Repairs to Building Are Completed —Half of Children Absent

By ROBERT H. TERTE

A group of Harlem parents picketed outside Public School 119 yesterday to protest conditions that they termed unsafe and unsanitary.

Between 50 and 70 per cent of the 1,300 children enrolled in the school did not attend classes, according to school officials.

The allegedly hazardous conditions have resulted from a major repair program undertaken at the school shortly before classes began Sept. 7. Public attention first centered on P. S. 119 when a rate scurried across the floor while Mayor Wagner was visiting the school last May.

While repairs are under way, classes are doubling up, meeting in the auditorium, an emergency lunchroom, the library and other makeshift facilities.

After a protest by parents last month, school officials promised that barricades would be erected wherever possible to keep pupils out of areas under repair and that halls would be kept free of debris.

Mrs. Doris Joubert of 2410 Eighth Avenue, president of the Parents Association, said yesterday that the parents wanted the Board of Education to transfer the children to another school until work on the building was completed. She suggested that the work could proceed more rapidly if the school were cleared.

The parents met during the day with Assistant Superintendent Charles M. Shapp, who advised them that the children would be better off in school than running about the streets, Mrs. Joubert said. But she added that the parents intended to keep their children out of school because "we don't feel it's safe for the children."

Another meeting between parents and an official from the Board of Education is scheduled for today at 1:30 P. M. at the school, 25 7West 133d Street.

The parents began picketing at 7:30 A. M. and continued until about 4 P. M. Mrs. Joubert said that they would continue the picketing today.

Among the conditions they complained of are the lack of hot water and, consequently, the lack of hot lunches. Most of the children attending the school receive free meals at noon. Mrs. Joubert said that many children had come home from school with headaches from the noise of the repair work and from inhaling dust and fumes.

RACIAL CENSUS SET IN STATE SCHOOLS

The New York Times p. 1
Mon 10-2-61

Dr. Allen Says Tally Starting Next Month Will Attack De Facto Segregation

New York, N.Y.

By LEONARD BUDER

Special to The New York Times.

SARANAC INN, N. Y., Oct. 1 —A racial census of every public school in the state will start next month as the first step in a planned attack on segregation.

This was disclosed here tonight by Dr. James E. Allen Jr., the State Education Commissioner. He addressed the opening session of the annual meeting of the State Council of City and Village School Superintendents.

Although noting that racial discrimination was prohibited by state law, Dr. Allen asserted that in some communities residential patterns and customs had in fact created schools "which are indeed segregated."

These schools, he declared, "are detrimental, psychologically and educationally, to the students in attendance."

Amplifying his remarks at a news conference, the commissioner said that the state "will take a look at everything that stands in the way of assuring equal educational opportunities for all children."

Once the census is completed, he said, the State Education Department will examine school zoning policies to see if they are the cause of racial imbalances.

He indicated that if it were found that school zones were gerrymandered or rigged, the department would intervene to correct the situation. However, he emphasized that he hoped that such state action would not be necessary.

Dr. Allen said that the census, which would provide a count of Negro and Puerto Rican pupils in the state, would be conducted under the authority of the Education Practices Act. The act, he said, empowers the department to make studies and collect information necessary to guard against discriminatory practices in education.

The census is expected to take two to three months to complete.

Each school district will make its own census, using questionnaires provided by the department, and will report its findings to the state. Theron A. Johnson, administrator of the Education Practices Act for the department, will direct the project.

Plan for Pinpointing

The census findings, Dr. Allen said, will be used to help the department determine what constitutes a segregated school and to pinpoint those schools with segregated enrollments.

He said the over-all projects would lead to specific guides and suggestions, as well as to special state assistance, to help communities overcome school segregation and "avoid the unpleasant difficulties that arise when it becomes a legal issue."

Dr. Allen acknowledged that the recent controversy over school segregation in New Rochelle was a factor behind the new state project. But the major factor, he said, was the recognition that shifting populations within cities and from the cities to the suburbs had created special school problems.

Special Programs Begin

In his address, Dr. Allen said that the problem of integration must be met basically at the local level. He said that staff members of the department would be made available to help local districts work out their problems.

A number of school districts, he said, have already begun special programs to overcome the educational and cultural handicaps of pupils from minority groups. But, he said, much more must be done.

At the news conference, Dr. Allen praised the New York City "Higher Horizon" program and similar programs in other communities that are designed to help underprivileged children.

The Commissioner said the department would ask the state Legislature for $300,000 for the fiscal year beginning April 1 so that it could do more to assist communities with these programs. The department this year had been given $200,000 for this purpose.

"Within the department," he added, "we will initiate a careful review of all policies and regulations which can have an effect in the elimination of de facto segregation and unequal educational opportunities. Where new policies or procedures are called for we will adopt them. When revisions of present ways are necessary, we will change."

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NEW YORK PAMPHLET -TEAcHERS ADVISED ON RACIAL TERMS

TEACHERS ADVISED ON RACIAL TERMS

The New York Times
Wed. 10-4-61

Pamphlet Tells Them Not to Talk of 'Your Kind' or 'You People' to Parents

New York Ny

'SLUM' ALSO RULED OUT

P. 39 M

It Should Be Called 'Older, More Overcrowded Area' to Avoid Offending

By FRED M. HECHINGER

The school system asked the city's teachers yesterday to remember to speak positively in talking with parents. In a compilation of observations of speech patterns that lead to difficulty in meeting with parents," it urged teachers to avoid words and phrases that "inadveterntly suggest prejudice" of all kinds.

Among the phrases the pamphlet lists are references to minority groups like "you people" or "your kind." The pseudo-complimentary terms it asks teachers to avoid are "Negroes naturally have rhythm," "thrifty as a Scotsman" or "smart as a Jew." It cites as offensive stereotypes such "symbols" as "watermelon for Negroes; pushcarts for Jews; laundries for Chinese; rice and beans for Puerto Ricans; spaghetti and meatballs for Italians."

Basis for Discussion

The report is suggested "as a basis for stimulating discussion by school staffs at conferences and as material for inservice courses in human relatoins for teachers, supervisors and other school employes."

It was prepared by a committee under the chairmanship of Dr. Frederick H. Williams, director of the school system's human relations unit.

It warns against the use of terms that remind anyone "of his group membership and of the status of his group in our social structure."

From a warning against the "camouflage for prejudice—'some of my best friends * * *,'" etc.—the report branches out into a discussion of what it considers misuse of professional terms.

'Use with Caution'

It urges teachers to avoid or use "with extreme caution" such labels as "underprivileged children, culturally deprived slum areas, low socio-economic," as well as "fear of walking in neighborhood" or "complete apathy of parents." Somewhat mysteriously, the same list includes the term "dedicated teacher."

Negative words, the report says, "emphasize disadvantages" and destroy the parents' faith in "the upward mobility of their children."

In its glossary of positive words, the report suggests that "deprived, depressed or disadvantaged" children be described as "having a likelihood for good intellectual development, or children with untapped potential, or children with latent ability."

In a more elaborate list of substitutions, "low-income or underprivileged children" become "children unable to secure much beyond the necessities of today's world because of the modest finances of the family."

"Cultural deprived children," a term originally introduced by educators as a substitute for "poor," becomes, in the new glossary, the term "children whose experiences, generally speaking, have been limited to their immediate environment."

50 NEGROES ASK PUPILS BE MOVED

Harlem Parents Will Seek Transfers Today, Saying School Is Obsolete

CITY BOARD IS ADAMANT

Official Says Children Will Shift to New P.S. 161 in a Year in Any Case

By LEONARD BUDER

A new controversy involving Negro parents confronted the school system yesterday as it prepared to start the new school year.

A group of fifty parents belonging to the Manhattanville Tenants Association announced that they would attempt to transfer their children to a school outside their neighborhood, saying they were dissatisfied with the local school their children must attend until a new one is completed.

School officials, however, said the transfers would not be permitted.

Public school classes start Thursday; the schools are open today and tomorrow for registration and transfers.

In previous years, Negro parents staged boycotts to protest what they termed segregation.

Last year the Board of Education began open enrollment, which permits pupils from predominantly Negro and Puerto Rican schools to attend schools in other neighborhoods that have vacancies, there have been no such boycotts since.

The Manhattanville parents have mentioned the possibility of a "strike" if the board does not grant their requests.

The Negro families, who live in the new Manhattanville housing development on West 126th Street, said they would apply for transfer today at Public School 33, Twenty-seventh Street and Ninth Avenue.

Plan Called 'Indefensible'

Mrs. Marie Heyliger, spokesman for the group, said the parents wanted to take the children out of P. S. 81, 120th Street and Seventh Avenue. She called the school "obsolete, substandard, segregated."

The children in the project will eventually attend P. S. 161, 133d Street and Amsterdam Avenue, which is scheduled to be completed in March. The parents want their children to attend the Twenty-seventh Street school in the meantime.

Miss Marion Clark, assistant school superintendent for the area, said that the transfers would be "educationally indefensible."

She noted that the Manhattanville children had attended one school before moving to the housing project last year, then had gone to P. S. 81, now would like to go to P. S. 33, and later would go in any case to P. S. 161. This, she said, would mean four disruptions of schooling in fifteen months.

Meanwhile, the board, assessing the new term, said that it expected 1,000,395 pupils, the largest number in twenty-one years. The enrollment would be 13,698 pupils more than last year, and the first million-pupil enrollment since 1940-41, when 1,050,419 pupils enrolled.

The registration and transfer period today and tomorrow is for children who had not previously been enrolled or for those who have enrolled but have moved since June.

To be eligible for first grade, a child must have had his sixth birthday by the end of this year. Children seeking admission to kindergarten must be 5 years old by Dec. 31.

The registration procedures require that the child and a parent or legal guardian must be present. The child's birth certificate or baptismal certificate and proof of vaccination must be furnished.

SCHOOLS TO STUDY HARLEM PROTEST

Parents to Get Review of Bid to Transfer Children

By LEONARD BUDER

City school officials promised yesterday to consider the request of a group of Harlem parents, most of them Negro, who want their children to attend school in another part of the city.

The children, who live in the new Manhattanville housing project on West 126th Street are scheduled to attend P. S. 81, 120th Street and Seventh Avenue, when the new term starts tomorrow.

But the parents want their children to attend P. S. 33, Twenty-seventh Street and Ninth Avenue, until a new school, P. S. 161, is completed in their neighborhood early next year. They have charged that P. S. 81 is obsolete, substandard and segregated.

While local school officials previously had denied the requests for transfers, they promised to reconsider after about seventy parents, accompanied by eighty children, showed up at P. S. 33, Twenty-seventh Street and Ninth Avenue, seeking to enroll their children.

250 Children Involved

Mrs. Marie Heyliger, spokesman for the Harlem group, said there were about 250 children in the Manhattanville project who wanted to attend P. S. 33 this year.

Dr. Martin Silverman, principal of P. S. 33, told the parents that those children who had moved into Manhattanville since the end of the term last June who had not already enrolled at P. S. 81 [illegible] his school.

However, [illegible] could not accept applications for transfers for children already enrolled at the Harlem school.

But, Dr. Silverman said, Dr. John B. King, associate superintendent in charge of elementary schools, would study the requests. Later Dr. King announced that he would meet today or tomorrow with the Manhattanville group to discuss the situation.

P. S. 33 a 'Showcase'

Members of the staff of P. S. 33 took the names, addresses and ages of the children wishing to transfer.

P. S. 33 is regarded as a "showcase school" because of its special projects and services, including closed circuit television. It has an enrollment of 600, about 300 under capacity. Forty-eight per cent of the school's student body is Puerto Rican and 29 per cent is Negro.

The school is one of the city's many under-utilized schools that have been designated to receive pupils under the Board of Education's open enrollment program. This program makes it possible for pupils in schools with predominantly Negro and Puerto Rican student bodies to transfer to schools elsewhere in the same borough that have vacancies.

School officials previously had rejected the request to transfer the Manhattanville pupils because of their impending transfer next year to P. S. 161.



YOUTHFUL HAPPINESS — Billy Stanley, 8-year-old third - grader, the only white pupil at St. Philip the Apostle's School in Albany, New York, studies with his friends. Billy, expressing the feelings held by other children similarly situated, says he likes school and that the other pupils "treat me good."

New Rochelle Seeks Stay in School Case

NEW YORK, June 15 (AP).—The New Rochelle Board of Education has asked the United States Court of Appeals to stay a court order requiring the board to facilitate transfers of pupils from a predominantly Negro elementary school to [illegible]hools in the suburban city.

The stay is sought pending disposition of the board's appeal from the decree issued by United States District Judge Irving R. Kaufman.

Arguments on the motion for a stay are set for next Monday.

Merryle S. Rukeyser, president of the Board of Education, contends that "irreparable chaos" would result if the transfer order is put into effect and later reversed.

Priority Also Asked

The board, which sought the stay yesterday, also asked that its appeal from Judge Kaufman's decree be given priority on the appeals court calendar.

"Implementation of the decree," the board said, "would represent a departure from our basic neighborhood school policy . . . and would cause a significant change in the habits of young school children."

The case involves the Lincoln School—one of a dozen elementary schools in New Rochelle—which now has an enrollment of 456 Negro and 29 white pupils.

A group of parents of Negro children in Lincoln School contends that the Board of Education many years ago gerrymandered the Lincoln school district—in other words, laid out the district lines to create and maintain the school as predominantly Negro. The parents, who initiated the litigation before Judge Kaufman last winter, allege that the effect of the board's continued action has been a "segregated" school.

Neighborhood Policy

School officials say the city has a "neighborhood school" policy and the predominantly Negro enrollment at the Lincoln School results from the neighborhood racial pattern.

Last January, Judge Kaufman ordered the board of education to start mapping a plan to facilitate transfers from the Lincoln School upon request.

In a final decree on May 3 the judge ordered the board to report by yesterday what vacancies there would be in other schools and to make transfer applications available to Lincoln School pupils. The shifts were to go into effect at the start of the new school year in the fall.

The 12 elementary schools have a total enrollment of 5,498 white and 1,234 Negro children.



The New York Times (by Arthur Brower)

THOSE FIRST-DAY-OF-SCHOOL-BLUES: A new pupil at Public School 145, on 105th Street between Columbus and Amsterdam Avenues, receives some comforting attention from Mrs. Sylvia Rahm, one of the school's teachers.

FIRST SCHOOL DAY GENERALLY QUIET

Most of City's Million Pupils Go Willingly, a Few Rebel and Several Get Lost

SOME PARENTS PROTEST

Children Kept Home When Demands for Shifts Fail—Complaints Weighed

By GENE CURRIVAN

The city's public schools opened their doors yesterday to more than a million pupils, the largest number in twenty years.

As the 1961-62 year started it presented a study in contrasts —with some youngsters arriving long before the opening bell, and others almost dragged in by their parents.

The pupils entered some buildings that are new and glistening, others that are old and fortress-like, or recently modernized, frequently with painters and carpenters still at work. About seventy-five of the buildings were constructed before the turn of the century.

Throughout the system there appeared to be a minimum of confusion as the 1,000,000 youngsters arrived, but there was the perennial trouble with fledglings who managed to get lost in the labyrinth of corridors and forgot not only their assigned rooms but also their family names.

Harlem School Picketed

Among the discordant situations was one at Public School 81, at 120th Street and Seventh Avenue, where a group of Harlem parents picketed the school and kept about seventy children from attending.

The parents contended that the school was "segregated, obsolete and substandard." They have demanded that the children be transferred to P. S. 36 at Ninth Avenue and Twenty-seventh Street until a new school, P. S. 161, is completed in their neighborhood.

Board of Education officials have arranged a meeting with the parents and members of the Commission on Intergroup Relations at the board headquarters, 110 Livingston Street, Brooklyn, next Wednesday at 2 P. M. to discuss the grievance.

In the Bedford-Stuyvesant section of Brooklyn only eighty of 500 pupils who had been assigned to an annex of P. S. 21 went to school. Their parents had protested that the annex at Patchen Avenue and McDonough Street, a seventy-year-old building, was unsuitable.

After a conference with Associate Superintendent John B. King and Mrs. Cecile Timmerman, principal of P. S. 21, at Board of Education headquarters, the parents agreed to send the children to school today while the matter was being worked out.

New School Admired

At P. S. 145, a new $2,000,000 structure on 105th Street between Amsterdam and Columbus Avenues, most of the 1,050 pupils arrived early. They were eager to see the new building.

The school, which has an 85 per cent yearly turnover of pupils because of the shifting character of the neighborhood, has special services for emotionally disturbed and retarded children, as well as for the gifted.

Not far away, at P. S. 93, a seventy-year-old school at 203 West Ninety-third, Alan R. Sherman, the principal, greeted about 1,000 youngsters, but he knew he would see as many more faces before the year was out because the school has the highest turnover in the city—118 per cent—caused largely by neighborhood tenant relocations.

SCHOOL BOYCOTT IN HARLEM ENDED

P.S. 81 Children Sent Back

Parents Set Deadline

More than 150 children in the Manhattanville housing project at Broadway and 126th Street returned to class yesterday after their parents had kept them out of school during the past week. But the return was conditional.

The parents in the integrated project have objected to Public School 81 at Seventh Avenue and 120th Street, to which most

of the children were assigned. They contend that the school, situated in the heart of Harlem, is segregated and obsolete, and has reading levels "three years below par."

After a meeting of the Manhattanville Tenants Association Wednesday night, the parents decided to follow the advice of Associate Superintendent John B. King. He had urged the return of the children earlier in the day and had admonished the parents that they had a moral and legal duty to do so.

The parents agreed, byt gave Dr. King unti next Wednesday to work out some solution to their problem. They asked that the children be transferred to some other school where there is a better ethnic balance and higher educational standards.

Return in 'Good Faith'

In a letter to Dr. King, the asociation said the parents "asked that we inform you that just as it was with reluctance that they kept their children home from P. S. 81 to show their determination to find a better school for the children, it is in good faith that they are permitting their children to attend P. S. 81 awaiting your decision."

Dr. King told the parents during a conference last Wednesday that he would attempt to solve their problem within a few days. A neighborhood school to which the children will later be assigned is now under construction, but will not be completed until next September.

In another parents' rebellion against an old school more than 380 children were being kept out of the P. S. 26 annex in the Bedford-Stuyvesant section of Brooklyn. The parents contend that the seventy-year-old building at Patchen Avenue and McDonough Street is substandard. Dr. King also has this problem under consideration.

SCHOOL BOYCOTT WINS TRANSFERS

Parent Groups in Brooklyn and Manhattan Get Right to Shift Children

450 PUPILS ARE AFFECTED

They Had Been Kept Out of Class in Protests Over 'Substandard' Schools

By GENE CURRIVAN

Parents who refused to send their children to assertedly substandard schools have won their battle with the Board of Education.

Under a ruling announced by Associate Superintendent John B. King, about 150 children from the Manhattanville Housing Project, on the fringe of Harlem, and 300 others in the Bedford-Stuyvesant section of Brooklyn will be permitted to change schools.

The Manhattanville youngsters were kept from school by their parents for five days, while the Brooklyn pupils have been out of school since Sept. 7, when the school year started.

The Manhattan group contended that Public School 81, at Seventh Avenue and West 120th Street, to which most of the children were assigned, was almost completely segregated and was not up to normal educational standards.

The Brooklyn parents complained that P. S. 26 Annex, at Patchen Avenue and McDonough Street, was obsolete and not suitable for young children. The pupils were assigned to the annex because the main building at Patchen Avenue and Chauncey Street was overcrowded and on double sessions.

Pupils May Transfer

Under the new ruling, the pupils will be given an opportunity to transfer to underutilized schools in Brooklyn.

The Manhattanville parents started their campaign last spring, soon after they had moved into the new 1,272-family housing project at 545 West 126th Street.

The board had given the parents a choice of P. S. 81, P. S. 33, at Ninth Avenue and West Twenty-seventh Street, or P. S. 51, at 520 West Forty-fifth Street. The P. S. 51 offer was later withdrawn, since the school was no longer underutilized. The parents who chose P. S. 81 said they had done so because the board had not guaranteed bus service to P. S. 33, about five miles distant. The board denied this and bus service was provided.

Although P. S. 33 was acceptable, the parents of children sent there joined with the parents of youngsters attending P. S. 81 in the fight to have the latter group transferred. The children, both white and Negro, were kept home.

The parents banded together in the Manhattanville Tenants Association and took their fight to Dr. King, Borough President Edward R. Dudley and the Commission on Intergroup Relations.

After a final conference with Dr. King on Wednesday the Manhattanville parents agreed to return the children to school on the condition that a decision be reached in their case by Wednesday, Sept. 27. Later, Dr. King notified the association that transfers would be permitted.

The board recently learned that P. S. 161, the neighborhood school to which the Manhattanville children will be assigned, will not be completed until September, 1962. It had been scheduled for a March opening, but labor trouble delayed the construction.

NONWHITE PUPILS INCREASE IN CITY

Population Change Found to Complicate Official Integration Work

RATIO IS NOW ONE TO 2

One-Fifth of Schools Here Consist of 85% Negroes and Puerto Ricans

By LEONARD BUDER

A steady increase in the number of Negro and Puerto Rican pupils is making school integration here difficult, the Board of Education indicated yesterday.

Despite rezoning and out-of-zone enrollments, the number of predominantly Negro and Puerto Rican schools here rose in the last two years.

A board report showed that in 117 elementary schools and twenty-two junior high schools —about a fifth of the total— the enrollments last October were 85 per cent or more Negro and Puerto Rican. In 1958 the comparable figures were eighty-eight elementary and thirteen junior high schools.

Four schools last October were composed entirely of Negro and Puerto Rican children.

Statistics Chief Comments

Dr. Herbert A. Landry, director of educational program research and statistics, who prepared the report, said: "if it weren't for the integration efforts, the situation would be far worse."

Since September, 1957, he noted, the city schools have gained 25,000 Puerto Ricans and 39,000 Negroes, but have lost 30,000 other pupils.

Elementary and junior high schools are largely neighborhood schools. Their enrollments thus generally reflect the populations of their districts.

The report, which dealt with a special school census made Oct. 31, showed that Puerto Rican and Negro children made up more than a third of the city's public school population of 986,679. The system had 153,697 Puerto Rican and 212,006 Negro pupils, 37.1 per cent of the total enrollment.

75% of Manhattan Pupils

Negro and Puerto Rican children made up three-fourths of the elementary school enrollment in Manhattan nearly half of the elementary enrollment in the Bronx. In Brooklyn, the figure was 41.7 per cent; in Queens, 19.1 per cent, and in Richmond, 10.2 per cent.

The percentage in the junior high schools was slightly lower. Here they made up 38.9 per cent of the total registration, compared with 43 per cent on the elementary level.

Negroes and Puerto Ricans made up 15.9 per cent of the academic high school students; 43.5 per cent of the vocational high school students.

On the other side of the integration problem, there were 277 elementary schools, or 48 per cent of the total, that had 85 per cent or more white enrollments. Fifty-three junior high schools, or 44 per cent, were in this category.

Twenty - four elementary schools did not have one Negro or Puerto Rican child.

At 193 other elementary schools and twenty-eight other junior high schools, Negroes and Puerto Ricans accounted for 5 per cent or less of the total enrollment.

No Change by Fall

A school spokesman noted that the board's open enrollment program, which started on a limited basis in September, had had only slight impact on the distribution of pupils by the time the ecnsus was taken. The program, which has since been expanded, enables pupils attending schools that are predominantly Negro and Puerto Rican to transfer to other schools if there are vacancies.

The ecnsus, the fifth since 1957, furnishes data for many school operations, including open enrollment, assignment of additional teachers and applications for special state aid in classes for non-English-speaking pupils.

In enumerating Puerto Rican pupils, the report included all children born in Puerto Rico or the mainland when one or both parents is Puerto Rican.



Herald Tribune photo by Nat Fein

HUNTING RATS IN A SCHOOL—Principal Elliott Shapiro uses a broom handle to probe a rat hole at P. S. 119.

650 Pupils Stay Out at Rat School

New York Herald Tribune p. 1 Tues. 10-3-61

By Newton H. Fulbright

Six hundred and fifty students—half of the 1,300 enrollment—stayed away from classes yesterday, as angry mothers picketed P. S. 119—the "rat school"—at 225 W. 133d St., near Eighth Ave. The mothers said the old Board of Education and City Hall had misled them into believing repairs on the old Harlem building would be finished when school opened last month.

New York, N.Y.

The repairs were just starting, the mothers claimed, when school opened Sept. 7, and will not be completed before December.

They said the work is a source of constant danger to the students and has completely disrupted classes.

Dr. Elliott S. Shapiro, principal, acknowledged that the repair work had constituted a "danger last week." But he said the building was no longer dangerous and that only three of the school's forty-six classrooms are now under repair.

He was joined by Dr. James E. Allen, director of community relations in the office of Manhattan assistant School Superintendent Charles M. Shapp, in urging the mothers to send their children back to school. "Any school is better than no school at all," Dr. Allen said.

Mrs. Doris Joubert, 2410 Eighth Ave., president of the Parents Association, said: "We will keep them home. We will not send our children back here until the repair work is finished in December."

Demand Transfer

She and the other mothers demanded transfers of their children to other schools and instead of repair, a new school to replace P. S. 119, which was erected in 1901. They argued that the old school was falling apart even as repairs were being made. The repair work, they said, "is a waste of money."

They said: "Mayor Wagner wants Negro votes but he does nothing for Harlem."

The 100 placard-carrying, shouting mothers, marching in front of the school entrances on 133d and 134th Sts. became embroiled at 10:30 in a small incident. A truck loaded with gypsum wallboard tried to back into the entrance at 134th St. The mothers refused to give way. They complained later that police handled them roughly, one policeman ordering the driver to "run us down."

Listens to Complaints

Dr. Allen, himself a Negro, listened to this complaint as he stood on the steps a few minutes later.

"I doubt that," he said. "I doubt any policeman ever told a truck driver to run over women and children."

The mothers, pressing around him, insisted it was so. They mingled this complaint with shouts against the school, the Mayor and the Board of Education.

"You ladies try to face facts," Dr. Allen said. "We're trying to rush repairs on this school."

"Stop wasting money-" the women shouted. "Give us a new school! Get rid of the rats! Our children are learning nothing!"

"Ladies, please!" said Dr. Allen.

Sorry He Ever Saw Her It

Pressing up to reporters to get in a word was Jack Widoff, owner of the Widart Corp., contractors, of 791 E. 149th St., the Bronx. Throwing up his hands, Mr. Widoff said: "I'm sorry I ever saw this place! Such grief! Such headaches!"

He started work without a contract, he said, on a promise from the old school board "that one will come along later. I just picked it up last Saturday."

Until then, he said, "I was putting my money into something I might never get paid for. I got $16,000 invested here installing fire doors and taking down old sliding partitions and putting them back with wallboard. My big problem is finding the stuff still here next month."

..Contractor With Problems..

Standing besides him was another contractor, Jack Groshein, owner of the Modern Glazing Corp., 7523 20th Ave., Brooklyn, installers of glass, tile and roofing.

"My problems are bigger than his," said Mr. Groshein. "I may never get my money back."

Mr. Groshein's largest problem, it developed, was windows. Almost a third of those on the ground floor were knocked out. "Fast as I put in new ones, the kids knock them out," he said. "It's been this way all summer. I've hired three night watchmen. They knocked one in the head with a bottle and he's still in Harlem Hospital. I can't get my money until I get all these windows in—the city will not approve the job. How am I going to get approval if the kids keep throwing rocks through the window?"

"All Kids Break Windows"

Mrs. Gloria Moran, of 250 W. 131st., one of the mothers, said: "What's sounusual about broken windows? All kids break windows."

"Lady, I got to pay for them," said Mr. Groshein. "It's money out of my pocket."

P. S. 119 became news last May when Mayor Wagner, on a tour of inspection, stopped by in time to help chase a rat across a classroom. The old Board of Education and Superintendent of Schools John J. Theobald kept promising during the sumer that an emergency repair program would have this and other schools in first-class shape by the start of the new school term.

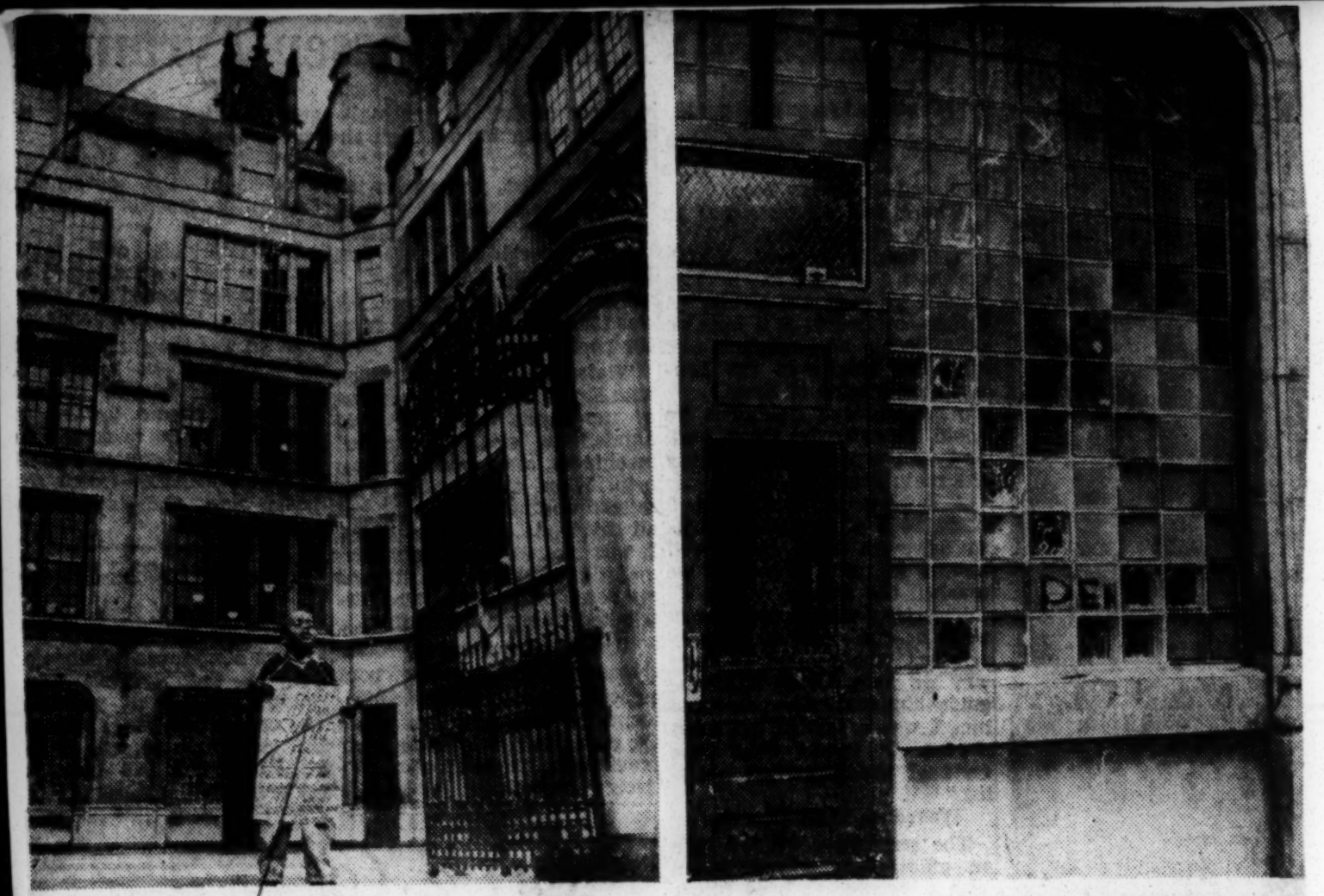
"They misled us. They just didn't tell the truth," said Mrs. Joubert.

Dr. Shapiro said: "There are no rats in the school at least, there were none as of this morning. And I don't think we have any roaches. We've been fumigated and re-fumigated."

Maurice Winkler, technical adviser assigned by the Board of Education, to supervise the repair work, said: "We have no hot water today. But I'll show you why." He took reporters to the basement, where a new hot-water heater is being installed. "It'll be ready by Thursday," he said. "A brand new boiler."

Mr. Winkler said he had visited the school every day since last summer, but explained that getting repairs under way was time-consuming. Involved was a survey, the writing of specifications, the submission of bids and the awarding of contracts.

Meanwhile, moving about in his efforts to pacify the mothers, Dr. Allen gave assurances that a new school was on the way. This was backed by a letter from John B. King, Associate Superintendent of Schools. Mr. King said the repair work would not use up money needed for the new school.



Herald Tribune photos by Ira Rosenberg

HARLEM SCHOOL PICKETED—Small William Hamilton carrying a big sign yesterday registering the protest of his mother—and other mothers—on conditions at P. S. 119. At right, new glass blocks in a window at the school are broken by vandals soon after they are installed. These broken glass blocks were put in only last week.

200 Parents Assail Plan to Shift Pupils At Queens School

More than 200 parents whose children attend Public School 129 in the College Point section of Queens are opposing plans by school authorities to split up the elementary school next fall.

The third through the fifth grades are to be transferred to two near-by elementary schools to make more room at P. S. 129 for a junior high school annex that shares the building.

A petition signed by the parents was presented this week to Superintendent of Schools John J. Theobald. Apparently the petition was unsuccessful, said Mrs. Carolyn Boleman, president of the school's Parent-Teacher Club.

P. S. 129 now has 388 children in kindergarten through sixth grade, and about 250 children in grades seven and eight as an annex of Junior High School 194. To provide four more classrooms next year, when the ninth grade will be added, about 100 children will have to be transferred.

The parents have proposed alternative solutions, but Max Gewirtz, assistant superintendent in charge of the district, said school officials had agreed the present plan was the most satisfactory. Mr. Gewirtz also noted that the junior high school annex had been established at P. S. 129 at the request of the parents because of the inaccessibility of P. S. 194 from a large part of the community.

Justice Department to Intervene In New Rochelle School Dispute

Assents to Request by Judge Kaufman to File Brief in Segregation Case

By EDWARD RANZAL

The Justice Department was invited yesterday by Federal Judge Irving K. Kaufman to help him formulate a final plan to desegregate the predominantly Negro Lincoln School in New Rochelle.

The Justice Department quickly accepted.

Attorney General Robert F. Kennedy issued the following statement:

"The facts in the New Rochelle desegregation case have been under study for some time and have been a matter of concern to the Justice Department.

"Judge Kaufman has now asked the department to appear as a friend of the court to assure that the processes of the court will be fully respected and complied with. We are glad to cooperate.

"In this case, as in all cases, we will take whatever steps are necessary to be of aid and assistance to the court."

Officials in Washington had noted earlier that the New Rochelle case seemed to meet the standards imposed by the department for intervening in a school case. The standards require that implementation of a court order and the integrity of the judicial process be at stake.

Had Followed Case

Unofficially, the Justice Department's Civil Rights Division had been following the case very closely, and had indicated a willingness to intervene.

On Jan. 24 Judge Kaufman had ruled that the New Rochelle Board of Education operated a segregated school system. He ordered the board to file a plan of desegregation. Two plans were filed—one by the majority under protest, the other by a minority.

Last Wednesday Judge Kaufman held a hearing to help formulate the final plan. He was severely critical of the majority plan. He termed it "more or less of a palliative" to the court.

The majority plan, which the court indicated was both unacceptable and unworkable, called for permissive transfers by Negro pupils in the Lincoln School to other schools in the New Rochelle public school system. However, a number of restrictions were set.



The New York Times

Judge Irving R. Kaufman

The minority plan, proposed by three board members, would grant transfers to other schools and looked forward to the end of the Lincoln School by 1964.

In a "notice re intervention of amicus curiae" filed with the clerk of the court, Judge Kaufman wrote:

"In light of the interest which the Department of Justice has expressed in the implementation of Federal Court decrees requiring desegregation, and to assure that the processes of this court will be fully respected and complied with, the court requests the Department of Justice to file a brief amicus curiae.

"The court is desirous of expert assistance with respect to the formulation of the final decree, and specifically in determining whether the plan submitted by the majority members * * * would bring compliance with the principles of the Fourteenth Amendment to the Constitution.

"The court indicated, in its opinion of Jan. 24, the desire to correct the conditions found in time for the opening of the 1961-62 school year. Since this date is rapidly approaching, the court also desires assistance with respect to the board's application for a stay of the implementation of the court's decree pending appeal.

"Accordingly, the Department of Justice is invited to file a brief by May 19, 1961, expressing its position and opinion with respect to the aforesaid matters."

Judge Kaufman's decision resulted from a suit brought by the parents of a group of Negro children who had not been permitted by the Board of Education to register at any other school but Lincoln.

14d(1) 1961

NEW YORK

School board blamed for gerrymandered segregation

The Afro American

NEW YORK CITY —The school board of New Rochelle deliberately gerrymandered district lines for its Lincoln School to make it predominantly colored, the U.S. Court of Appeals ruled, last week.

The court approved a plan to decrease the number of colored students enrolled at the school and grant a stay that it be desegregated this fall.

The three - judge court voted 2 to 1 against the school board, upholding the May 31 ruling of Federal District Judge Irving R. Kaufman.

THE MAJORITY opinion, written by Judge Charles E. Clark and concurred in by Judge J. Joseph Smith, stated:

Race was the basis for school districting, with the purpose and effect of producing a substantially segregated school. This conduct clearly violates the 14th Amendment.

In dissenting from the majority opinion, Judge Leonard P. Moore stated that the effect of this decision is "to place the operation of the schools of this country in the federal courts or a single judge. He alone will decide what racial mixtures satisfy his conception of integration."

• • •

IN DENYING the request for a stay, the court ruled that the board would not need additional funds to implement the desegregation order in September.

It added that a stay would mean further delay for some students who have been out of school since last fall.

Merryle S. Rukeyser, president of the board, refusd to say the ruling would be appealed to the U.S. Supreme Court, indicating that there may or may not be merit in such an appeal, from the board's point of view.

• • •

ELSEWHERE . activities involving school desegregation included the following:

In Raleigh, N.C., the school board announced that is assigning eight colored students to two schools previously attended by only white students.

• • •

AT THE same time the board denied application of a student to transfer from the high school in the Needham Broughton area.

In Charlotte, N.C., Dr. R. A. Hawkins said that 700 colored students reassigned from one segregated school to another segregated school may boycott classes.

Safety is greater in plants than homes

NEW YORK, N.Y. — A steelworker is far less apt to have an accident on the job than he is at home, statistics show.

Accidents in American homes as a whole are now claiming 27,000 lives and causing nearly four million disabling injuries each year, costing the nation billions of dollars.

In an effort to help stem this tide, the steel industry has drawn on its half-century long experience in overcoming hazards to prepare a new booklet, "For Greater Safety at Home — Take a Tip From Steel."

N.Y. School Pupil Swap Ordered

Atlanta Constitution

WASHINGTON (AP)—Justice William Joseph Brennan Jr. of the Supreme Court Wednesday refused to stay an order for desegregation of the predominantly Negro Lincoln School in New Rochelle, N.Y.

A stay was asked by counsel for the New Rochelle Board of Education, to remain in effect pending full Supreme Court action on an appeal to be filed later by the board.

The order for desegregation was issued by Federal Judge Irving R. Kaufman in New York last May 31, with directions that the change be put into effect for the 1961-62 school year. Kaufman ordered that no restrictions be placed on transfer of children who wish to attend schools in New Rochelle other than the Lincoln School.

The Lincoln School is 94 per cent Negro and Kaufman found that the school board had deliberately practiced segregation in maintaining Lincoln School on a radically segregated basis.

The litigation was begun by parents of some of the Negro students, who contended the Lincoln School District had been gerrymandered to concentrate Negro children in the Lincoln School.

Judge Kaufman's order was upheld on Aug. 2 by the U.S. Circuit Court in New York by a vote of 2-1. The circuit court refused to stay Kaufman's order.

'Result of 30-year struggle...'

((EDITORIAL ON PAGE 4)

NEW YORK—Last week's decision in the New Rochelle N.Y. school segregation case, won 2 - to - 1 in the U.S. Court of Appeals by NAACP Legal Defense Fund attorneys, was hailed today as "extremely significant" by Constance Baker Motley and Paul B. Zuber, who represented the plaintiffs.

"Tuesday's decision was the result of a 30 - year struggle," said Mrs. Motley. "It means that the Supreme Court school desegregation ruling of 1954 will be applied with equal vigor to northern as well as southern school boards."

"The School Board has already lost twice," observed Mr. Zuber, who argued the case for the parents when the suit was initiated last fall. "The Board may appeal to the Supreme Court, but we feel the law has been established."

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THE COURT of Appeals, on Aug. 2, upheld the ruling of Federal Judge Irving R. Kaufman of Jan. 24, that the New Rochelle Board of Education had, prior to 1949, deliberately created its Lincoln School as a colored school, and since then "has been motivated by the purposeful desire of maintaining the Lincoln School as a racially segregated school."

The School Board has been ordered to initiate a desegregation plan by September, 1961, which will make it possible for parents in the Lincoln School district to transfer their children to schools in other districts.

The appeal to the Circuit Court by the School Board was from Judge Kaufman's decision, and from the desegregation plan which he had ordered.

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JUDGE JOSEPH E. CLARK, . representing the majority in the Circuit Court opinion, held that " . . . the present 94 percent non-white enrollment at the Lincoln School goes beyond mere 'racial imbalance' and approximates closely the harmful conditions condemned in the Brown case."

It called Judge Kaufman's desegregation plan "noteworthy for its moderation."

A strong dissent was registered by Circuit Court Judge Leonard P. Moore. He stated in his dissenting opinion that "..the effect and implications of the lower court decision were to place the operation of the schools in the hands of the Federal courts or a single judge."

Mrs. Motley, reflecting on the case, said "some New Rochelle officials will be outraged because they feel the Brown decision should be applied only to the South. What the court has said, in effect, is that they are doing the same thing the South does.

"Tuesday's decision means that in the North, as well as the South, where there has been official action to create or preserve school segregation, such action will have to be considered in the light of the New Rochelle case."

Judge Attacks Integration Plan For School at New Rochelle

Kaufman Calls Board Majority's View 'a Palliative' and Refuses to Drop Minority's Program for Pupils

By MURRAY ILLSON

Federal Judge Irving R. Kaufman voiced severe criticism yesterday of a New Rochelle Board of Education plan to desegrate one of its elementary schools. He described the plan as "more or less of a palliative" to the court.

On a number of occasions during a five-hour hearing in the United States Court House at Foley Square he engaged in heated exchanges with the school board's counsel and with members of the board who attempted to argue that the school was not racially segregated.

On Jan. 24, the judge ruled that the board had "deliberately" maintained the Lincoln School in the heart of New Rochelle's Negro residential area as a segregated unit. He ordered the board to submit a desegration plan to him to go into effect not later than the 1961-62 school year. The school's enrollment is 94 per cent Negro, but the board contends that is the result of housing patterns.

Two plans were presented on May 3 by members of the board, which was divided 6 to 3. It was at the majority's seven-point plan, submitted under protest, that Judge Kaufman aimed his fire.

He objected specifically to an implication that a pupil seeking to transfer out of the Lincoln school would have to pass qualifying tests; that the transfer would have to be approved by the pupil's classroom teacher, his principal and the Superintendent of Schools, and that such transfers would be granted only on a "year-to-year basis."

Minority Plan Attacked

At the outset of the hearing, Julius Weiss, the school board's counsel, moved that the plan of the three minority members "be stricken from the record." He argued that the minority's "dissident" and "foreign views" should have no standing in the court. The minority plan calls for the immediate transfer of upper grade students from Lincoln with the final abandonment of the school by 1964.

Judge Kaufman denied the motion, declaring he did not intend to have his hands tied in formulating "the best possible plan" for desegregating the school. He also said his study of the board's plan did not exclude consideration of other plans.

The discussion grew sharper in tone and higher in volume when Mr. Weiss termed the ruling "highly irregular" and charged it was "undermining the duly constituted authority of the board." He asserted that the New Rochelle case was "being tried in the newspapers" and that the Westchester community's school officials had been "subject to attacks outside this courtroom."

Mr. Weiss demanded in this connection that Paul B. Zuber, lawyer for a group of Negro parents who won the right to send their children to schools outside the Lincoln district, be disciplined by the court.

Judge Kaufman observed that he had warned both sides against "trying this case in the newspapers."

On several occasions, Judge Kaufman complained that his desegregation order had been distorted in newspaper reports and elsewhere, and that such reports had brought confusion and bewilderment to parents in New Rochelle. He said he had no intention of causing a mass shunting of pupils from school to school.

On the witness stand, Charles G. Romaniello, a member of the board majority, defended the majority plan as meeting the desegregation order, although he denied that Lincoln School was segregated.

29 White Pupils at School

The other board member put on the stand by Mr. Zuber was Merryle S. Rukeyser, president of the board. He also insisted that the Lincoln School was not segregated, and said twenty-nine of its 480 pupils were white.

Dr. Herbert C. Clish, the superintendent of schools, testified that New Rochelle's schools other than Lincoln now had 943 vacant seats.

Two of the school board's minority members took the stand. They were Nolan M. Fallahay, Professor of English at Iona College, and Seth Glickenhaus, an investment banker and member of the New York Stock Exchange.

Professor Fallahay said that there had been insufficient discussion of the board's majority plan and that the minority had submitted its own plan "to assist the court." Mr. Glickenhaus charged that the majority plan "was railroaded down our necks."

Judge Kaufman reserved decision on an application by Mr. Weiss for a stay in implementing the desegration order until the case had been reviewed by the United States Court of Appeals.

Before ending the hearing he said he would formulate a decree governing a desegration plan "as soon as possible." He declared that constitutional rights of children ni New Rochelle had been violated for years and that now "time is of the essence."

New York Schools Slowly Integrate

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VIOLENCE NIL; BUT NORTHERN ROAD TO EDUCATION BUMPY

NEW YORK (AP)—Segregation has been chipped away in New York City and suburban schools without violence. But the northern roads to integration are at times bumpy.

There are few schools in the New York area that do not have some Negro students.

Legally, in the city and in all surrounding areas of New York, public schools are open to all regardless of race or color.

Yet school integration is a hot issue in many sections of the huge metropolitan district. It grows out of the fact that privately-owned housing creates patterns of segregation, and the "neighborhood school" follows those patterns in the complexion of its school population.

Four areas or communities currently are or have been involved in the "neighborhood school" problem.

At Englewood, N. J., where the latest push is being made for integration, the school in question has 545 pupils, and only 10 of them are white.

The crux of a New Rochelle, N.Y., dispute is appropriately-named Lincoln elementary school, which has 500 students, only about 30 of them white, while other schools in the wealthy suburban city are virtually all-white.

At Hempstead, N. Y., the proportion of Negroes in elementary schools is said to range from 1 to 85 per cent.

New York City itself has had, until recently, the same pattern of schools "de facto" all-white or all-Negro and Puerto Rican.

Two factors spurred the city to move toward "true integration." One was a movement among some Harlem parents to boycott schools they considered segregated and inferior. Some sent their children to private tutors in protest.



AP Wirephoto

MOTHERS IN QUEENS FIGHT NEW YORK RACE MIXING
Protest Shipping Negroes, Puerto Ricans To White School

Another was a board decision that the 1954 U.S. Supreme Court ruling against school segregation should apply to New York as well as to Mississippi.

EDUCATION FIRST

After a lengthy education program, the integration program was launched. Rezoning accomplished some integration in schools on the edges of predominantly white or Negro neighborhoods.

Then in September, 1959, hundreds of Negro children from Brooklyn's Bedford-Stuyvesant section, one of the city's worst slums, were transferred from their crowded schools to less crowded ones in Brooklyn and Queens.

This move led some Queens residents to paint "blacks go home" on the sidewalk. It also brought out picket lines of angry white mothers, who insisted with picket signs that they were not opposed to "true integration."

STATE P.T.A. VOTES INTEGRATION PLEA

Bids Boards in New York Adjust School Districts

SYRACUSE, N. Y., Oct. 18 (UPI)—The State Congress of Parents and Teachers urged New York school boards today today to work toward adjustment of school districts that may be racially segregated.

The resolution adopted by the sixty-fourth annual congress was the group's first stand on school integration.

The congress also adopted resolutions calling for a change in the legal drinking age from 18 to 21 years, endorsing a state constitutional amendment on court reorganization and opposing another amendment that would allow the state to guarantee dormitory authority bonds up to $500,000,000. The amendments will be on the Nov. 7 ballot.

The resolution on integration was voted on after a spirited debate and several revisions.

It said that, although discrimination was prohibited in public schools, the congress' legislation committee "is aware that in some communities de facto segregation may exist due to residential patterns."

Membership Is Prodded

The resolution said that the present situation "indicates the need for a greater effort by the membership to insure this right [to an education] to every child."

It urged the membership to initiate programs of study to lead to "appropriate action to protect the interests of all children." It asked school boards and interested citizens "to work for the best possible adjustment of school districts to carry out the spirit of existing laws."

The resolution supported the stand of the national congress, which has urged individual communities to seek effective means of solving the integration problem.

Some 1,500 persons who attended the three-day session shouted approval of a resolution calling for legislation that would protect the public against what it called the dangers of cigarettes and other forms of tobacco.

Vice Presidents Named

SYRACUSE, N. Y., Oct. 18 (AP)—Five vice presidents of the state congress were elected today. They were Mrs. John Mallory of Endicott; Dr. Paul Bulger, president of the State University College of Education at Buffalo; Mrs. Kenneth Fleischer of Valatie; Mrs. John Wallace of Garden City, and Romaine Foster of Pittsford.

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NEW YORK

School Racial Issue Rocks and Shocks Staid New Rochelle

School segregation, usually considered exclusively a Southern issue, exploded as a Northern problem in January when Federal Judge Irving Kaufman ruled that New Rochelle's Lincoln School must be desegregated. To get all the facts and all the background of this controversy, the World-Telegram sent Staff Writer William Longgood to investigate in depth. His report begins today.

By WILLIAM LONGGOOD,
World-Telegram Staff Writer.

NEW ROCHELLE, March 7. —Throughout New Rochelle appear signs proclaiming it a "City of Homes, Churches and Schools." The Chamber of Commerce stoutly heralds it as "The Queen City of the Sound." But in recent weeks the city's good name has been smeared across the nation as the New Orleans of the North, a bastion of segregation and racial discrimination.

This staid Westchester suburb is self-conscious, embarrassed and angry over its new notoriety. Most of its white residents staunchly defend their innocence, even as they writhe under a Federa court order that found the city guilty of segregation in a public school.

On Jan. 24 Judge Irving R. Kaufman ruled that the New Rochelle Board of Education intentionally created Lincoln School as racially segregated and has not acted in good faith to effect desegregation as required by the 14th Amendment.

The ruling struck New Rochelle like a kick in its civic solar plexus. The school board, even as it recoiled in denial and disbelief, announced that it would appeal the decision to higher courts, touching off a new and even more bitter wrangle.

The social backlash of the legal dispute has brought to a head smoldering resentments and festering hatreds that had been suppressed for many years under the placid exterior of this well-heeled, fashionable community that prides itself on its social conscience.

Out of the Lincoln School struggle has come an emotional explosion of a bomb threat, poison-pen letters, vicious phone calls, neighbors not speaking, community leaders making harsh charges against one another (whispered more often than spoken aloud), and heightened racial tensions.

Not only are Negroes pitted against whites, but the color line has fused into a complex mixture of black versus black and white against white, race against race.

The seat of this northern racial struggle is in southern Westchester, an oblong (2 miles wide and 8 long) strip of land flanked by Scarsdale on the north, Mamaroneck on the east, Long Island Sound on the south, and the Pelhams, Mount Vernon and Eastchester on the west.

Federal Judge Irving R. Kaufman refused today to suspend or delay his order to the New Rochelle school board to submit to the court by April 14 a detailed plan to desegregate the predominantly Negro Lincoln Elementary School. At the same time, he denied a motion that would have ordered the immediate transfer of 11 Negro school children from Lincoln to other schools.

Huguenot Settlement

New Rochelle, settled by the Huguenots in 1688, was named after La Rochelle in old France, and became "the only Huguenot settlement in the New World to retain its integrity as a French Protestant community, speaking the French language and living according to old country traditions until the tide of immigration following the War of Independence stirred the melting pot to give a common tongue," according to a local history.

The city has a rich historical background and was the home of Tom Paine and other famous patriots.

It was incorporated as a village in 1857 and as a city on March 24, 1899. Covering 10.4 square miles, it contains approximately 10,500 homes, 36 churches, 15 public schools (including 2 junior highs and one high), 10 parochial schools, and two colleges.

The city has 790 municipal employees, total debt of $8,912,715, a 1961 budget of $11,410,617.81. It has one of the nation's highest per capita incomes; a 1957 study revealed local buying power of $190,315,000 and retail sales of $115,286,000.

Second largest city in Westchester (after Yonkers), New Rochelle has a council-manager form of government, but a local joke holds that there are five mayors and no councilmen; it is considered a hotbed of politics and there's a saying that local politicians run for office 365 days a year.

The council currently is made up of two Democrats and three Republicans. One of them is Stanley W. Church, a Democrat, the elected mayor. Among his jobs is appointing members to the board of education for four-year terms.

First Census in 1698

The first census was taken in 1698 when, according to a local booklet, the hamlet had "231 souls—men, women and children, white and colored, free and bond." Thus, it was stated, "it will be observed that the early settlers possessed some Negro slaves."

Since that first census New Rochelle has boomed to a population of 76,812 — 28 percent hike since 1950.

About 16 percent of the population is Negro. The percentage has been steadily rising; in 1940 it was 10.8 percent and in 1950 12.6 percent. Most of the Negroes are crammed into the Lincoln School area, just southwest of the city's geographical center, a few blocks north of the business district.

Stopover for Slaves

New Rochelle has one of the oldest Negro settlements in the State. It became known in the South during the Civil War as a stop on the route for escaped slaves to Canada and many runaway Negroes remained as domestics. Until the recent outburst over Lincoln School, racial friction had not been apparent.

Lincoln School, a faded concrete and brick structure built in 1898, originally had all white students. But as the neighborhood deteriorated and real estate values and rentals dropped, the more wealthy whites moved out and financially hard pressed Negroes moved in. The area was attacked by those twin scavengers — overcrowding and under-maintenance — and gradually became a semi-slum area, a black ghetto.

About 20 years ago Lincoln School became virtually all Negro. Of its 483 students today, only 29 are white.

Despite this imbalance, the school board and many prominent citizens deny that the school is segregated, holding that Lincoln has merely followed the neighborhood racial pattern.

There is little dispute that prior to 1934 there was gerrymandering at Lincoln School. Judge Kaufman, in his decision, stated that according to uncontradicted testimony "a policy of gerrymandering was instituted which led to the confining of Negroes within the Lincoln School district by redrawing the district lines to coincide with Negro population movements.

'No Evidence Offered'

"It is highly significant that the board has offered no evidence to refute the testimony indicating that this gerrymandering took place. Nor did it offer any explanation for this conduct to negate the obvious inference of a desire to segregate."

School officials contend that the lines, drawn in 1930, were corrected in 1934. In 1949, they insist, a neighborhood policy was laid down and white children who lived in the Lincoln district no longer were permitted to attend another public school.

To this argument, Judge Kaufman replied: "The years between 1949 and 1960 have been 11 years of agitation for New Rochelle. For 11 years, responsible civic-minded organizations and groups have urged that something be done to correct the Lincoln situation: for 11 years the Board has discussed the problem, hired experts, made surveys, and constantly reiterated its belief in racial equality and the necessity for equal opportunities.

"But in these 11 years, it has taken no action whatsoever to alter the racial imbalance in the Lincoln School. It has met the problem with mere words, barren of meaning, for they were never followed by deeds."

New York Takes Integration Step

NEW YORK — (UPI) — The nation's largest city took the first step last week to speed racial integration among its nearly one million public school students.

Students in 21 of New York's more than 300 public schools are eligible to transfer from predominantly segregated classes to other schools under a plan authorities call "open registration."

Two factors stood out as the city launched the new program which is to spread to the elementary school level next February. The initial "open registration" applied only to junior high school students.

1. Observers doubted there would be a wholesale exodus from the predominantly Negro and Puerto Rican schools. Integration leader, the Rev. Milton A. Galamison estimated that "maybe two or three thousand" students would take advantage of the opportunity to transfer to the "receiving" schools.

2. Integrationists intend to press for total desegregation. Galamison estimates that about 20 per cent of the city's schools are segregated, that is, composed primarily of student bodies of the minority races.

Transfer Plan Offered To Desegregate School

NEW YORK, May 3 (UPI) The New Rochelle, N. Y., Board of Education filed a plan in Federal court today to desegregate its predominantly Negro Lincoln Elementary School by allowing students to register at other schools.

The plan submitted to Judge Irving R. Kaufman denied that the Lincoln School was segregated and said, "If Negro residential neighborhoods are eliminated, racially imbalanced schools would disappear."

Last Jan. 24, Kaufman ordered the Board to desegregate the Lincoln School not later than the 1961-62 school year on the basis of a suit brought by the parents of Negro children.

The plan, which had the backing of a majority of the Board said Lincoln School students could register in any other elementary school regardless of their race, creed, color or national origin, with the following qualifications:

- There shall be available seats to accommodate transfers.
- Admission of out-of district pupils shall be made only in conformity with the Board of Education's class-size policy.
- Any pupil for whom such transfer is sought shall be recommended by his classroom teacher and principal as being academically able.
- Permission granted for such transfer shall be on a year-to-year basis, with children actually living within the confines of the receiving school district having priority in admission.
- Any parent requestion such a transfer shall give a written statement that he is willing to provide transportation.
- The Board of Education reserves the right of flexibility in the administration of the transfer plan.
- All requests for such transfers shall be received annually in the office of Superintendent of Schools not later than June 1.

BOTH SIDES CHIDED IN NEW ROCHELLE

Judge Kaufman Says School Desegregation Issues Are Deliberately Beclouded

By EDWARD RANZAL

Federal Judge Irving R. Kaufman yesterday rebuked both sides in the New Rochelle public school desegregation dispute for arousing community feeling by deliverately beclouding and misconstruing the issues.

At the same time he refused to suspend or stay an order requiring New Rochelle's Board of Education to submit to him by April 14 a plan to desegregate the predominantly Negro Lincoln School in that Westchester community.

He also denied a motion by counsel for eleven Negro children to permit them to enroll immediately in any school but Lincoln. Since last September, when the eleven children were denied the right to enroll in schools other than Lincoln, they have been tutored privately.

Last Jan. 24 Judge Kaufman ruled the Board of Education had deliberately set up a segregated school system by gerrymandering districts to confine Negroes to Lincoln. He said this practice violated the constitutional rights of the eleven Negro children.

Judge Kaufman said the lawyers for both sides yesterday that when he had ordered a plan submitted to him he fervently hoped that "men of goodwill and wisdom would meet in an atmosphere of moderation and conciliation to work out a solution to a situation which everyone conceded to be an undesirable one."

Then, visibly agitated, he said:

"There has been a distressing tendency on the part of both sides to relitigate this case in the newspapers, on radio and television. This is unfortunate, for it creates an atmosphere rendering a solution of this problem more difficult. It appears that this atmosphere has been engendered by both sids.

"Pursuing this cours does not aid in creating a community attitude which will foster an intelligent consideration of the only interests which are of any real importance — those of the children."

Judge Kaufman noted there had been many misconceptions, some deliberate, as to the etent of his ruling. He said these tended to obscure the essential issues.

Judge Kaufman said false information—that he wanted to abolish the board's neighborhood school policy and that the court was taking over the running of New Rochelle's schools—had been disseminated. He declared:

"I did not strike down the neighborhood school policy, for the concept of the neighborhood school as an abstract proposition was not even being questioned." He also said the court was not seeking to interfere with the running of the schools.

"But," he added, "I feel the community has been deliberate-



The New York Times

Judge Irving R. Kaufman

ly confused by these misinterpretations of the opinion."

Paul Zuber, appearing for the Negro children, told the court he wanted them to enroll immediately because he envisioned a protracted case.

Judge Kaufman called his motion premature.

Murray C. Fuerst, lawyer for the board, asked for the suspension of the order requiring a plan by April 14 because the board intended to appeal Judge Kaufman's decision.

CHARGES AIRED IN N.Y. MIX CASE

Gerrymandering Denied by School Official

NEW YORK (UPI) — Charges and denials of "gerrymandering" s suburban school district to keep classrooms segregated were traded Sunday in a television discussion by two civic leaders, one white and one Negro.

Rev. Melvin Dewitt Bullock, Negro pastor of the New Rochelle Union Baptist church and head of the New Rochelle chapted of the National Association for the Advancement of Colored People (NAACP), made the charges.

Merryle S. Rukeyser, president of the suburban New York community's board of education, denounced the accusations as "sheer fantasy" and "a slander on the community."

The two men appeared on the "Between the Lines" TV show on station WNTA.

The discussion grew out of an NAACP suit against the New Rochelle school board charging that the Lincoln elementary school was segregated. A total of 94 per cent of the school's nearly 500 students are Negro.

The Rev. Mr. Bullock charged that the school board "gerrymandered," or manipulated school district lines to create the virtually all-Negro school.

A New York federal court has ordered the school integrated. The school board is appealing the ruling.

Rukeyser, an economic oclumnist, said that until this time the board had withheld official comment on the case "on the advice of counsel."

He said that two-thirds of the Negro elementary school children in New Rochelle attened schools other than the Lincoln school. He said there were "non-whites in all schools" in New Rochelle.

Rukeyser added that the city's senior and junior high schools were "completely integrated."

The Rev. Mr. Bullock charged that students at Lincoln were served a "watered-down curricula" and were subjected to a "rapid overturn of teachers."

He described the school as "inferior."

He charged the school board furthered segregation by allowing white students to transfer to other schools.

RULING APPEALED IN NEW ROCHELLE

School Board Asks Stay of Integration Order—Case to Be Argued in May

N. A. A. C. P. HITS MOVE

Says Board Seeks to Gain 'Year or More'—Plan to Mix Pupils Due in April

New Rochelle's Board of Education asked the United States Court of Appeals yesterday to stay Federal Judge Irving R. Kaufman's order for a desegregation plan to be submitted to him by April 14.

Judge Kaufman has found that New Rochelle in effect operated a segregated public school system. He ordered the board to give him a desegregation plan that would go into effect no later than the 1961-62 school year.

The board is appealing Judge Kaufman's decision and the appeal is expected to be argued sometime in May. The board is divided on the appeals issue with three minority members opposing it.

Murray C. Fuerst, lawyer for the board, said:

"It may be that the decree of the court below may be reversed and set aside, in which event any plan that may have been put into effect would have to be undone and the entire elementary school population would have to be shifted and transferred from school to school and back to the 'centrally located school' in their neighborhood district."

Marshall Scores Move

In opposing the application for the stay, Thurgood Marshall, director of the legal defense fund for the National Association for the Advancement of Colored People, said that the only purpose of the board's application was to "gain a year or more."

Mr. Marshall said that as a result of the issues raised by the parents of eleven Negro children there had been "great stress and strain in the community and if the court grants the stay I don't know how it will be interpreted by members of the community."

He said that the only grounds for the application by the board was one of cost and the need of finding experts. Mr. Marshall explained that a number of surveys had already been undertaken by the board and that nothing would be lost if a desegregation plan were submitted by April 14, even should Judge Kaufman's decision be reversed.

Last March 7 Judge Kaufman had refused to stay his order. He took the occasion to reprimand both sides for spreading false information concerning his ruling.

STATE MAYORS ASK MORE SCHOOL AID

'Drastic Emergency' Steps Are Urged by Bipartisan Group Meeting Here

By LEONARD BUDER

A bipartisan appeal for "drastic, emergency action" to provide more state aid to education was made yesterday by Mayor Wagner and the Mayors of Yonkers, Rochester and Buffalo.

The officials declared that the state aid program had lagged far behind the rising cost of education in their cities, and asserted: "As far as our own financial efforts are concerned, we have just about come to the end of the road."

The appeal, which received the endorsement of the Mayor of Albany and the State Conference of Mayors, was contained in a statement issued after the four Mayors—two Democrats and two Republicans—met for nearly two hours here.

Mr. Wagner described the meeting as an "extraordinary conference" that had been called because of the school financial problems of the big cities.

State Program Scored

Meanwhile, there were these related developments:

¶State Controller Arthur Levitt, the only Democrat in the state administration, charged that on a per capita basis urban counties received the least state school assistance. New York City, he said, ranked at the bottom of the list.

¶The $22,500,000 increase in state aid recommended on Monday by the Joint Legislative Committee on School Financing came under general criticism from school officials in near-by counties.

¶Charles H. Silver, president of the New York City Board of Education, wired legislative learers urging them to support the State Education Conference Board's proposal for a 15 per cent increase in the basic state-aid program. This would give the city about $26,000,000 more and would provide on a statewide basis a total of about $95,000,000 to local schools.

The four big-city Mayors attending the meeting, which was called by Mayor Wagner, set no specific financial goal. But they said it should be many more times the acount their cities would receive if the Joint Legislative Committee's recommendations were carried out. The Mayors declared that the committee's proposals "would benefit the average city by possibly 1 per cent."

Mr. Wagner, noting that the city would get $7,100,000 under

the recommendations, said that at least $25,000,000 more in state aid was needed this year to ease the local school board's financial predicament.

The Mayors said their cities were "in this position because we are in the main, bound by constitutional and statutory limitations as to taxing powers—the money we can legally charge to our local residents for the cost of running and maintaining our local governments, including education—while there is no limit to the demands caused by rapid changes in the population and economy of our cities."

'Drastic' Change Urged

Asserting that the state-aid program was in need of "drastic" change, the Mayors said that they were willing to wait until next year for a major revision provided adequate relief was provided this year to meet present problems.

The Mayors who accepted Mr. Wagner's invitation to the meeting were Kristen Kristensen of Yonkers, a Republican; Frank A. Sedita of Buffalo, a Democrat, and Peter Barry of Rochester, a Republican. Mayor Erastus Corning of Albany, a Democrat, could not attend but endorsed the statement by telephone.

Syracuse was the only one of the "big six" cities in the state not represented, but there were also pressing for more state aid.

Others present included Mayor William D. Ryan of Newburgh, a Democrat, and Mayor Dan Reidy of Ardsley, a Republican, who represented the State Conference of Mayors; Don Walsh, counsel to the Mayor's Conference; Philip Baczowski, Budget Director of Buffalo, and Charles L. Curran, City Manager of Yonkers.

The meeting was held in the office of the Budget Director Abraham D. Beame at the Municipal Building.

Controller Levitt, in a statement issued from Albany, said:

"Of the twenty counties receiving the least [state school] aid per resident in 1959, sixteen are metropolitan counties as defined by the Department of Commerce. All of the major cities in the state are located in these counties."

New York City, he continued, received $22.50 for each of its residents for educational purposes and Westchester received $27.01, compared with $106 for each resident in Lewis, the top-ranking county, and $76.40 for Fulton, which was mid-point in the rankings.

A. Terry Weathers, president of the Nassau-Suffolk School Boards Association, declared that the Joint Legislative committee's recommendations were "totally inadequate."

John P. McGuire, superintendent of schools for the third supervisory district in Suffolk County, said the proposed allocation for that county was "not enough to give us a great deal of help." But he said the committee's recommendations were primarily intended to help those areas of greatest need. "It is money that was not expected when this session of the Legislature was started," he added.

In Westchester County, William F. Lundy, the Democratic county chairman, asserted that the committee's proposals underscored the unfairness long shown to Westchester. He said that some upstate counties received about three times as much aid from the state for schools as provided through local taxes, while the ratio was just the reverse in Westchester.

County Executive Edwin G. Michaelian, who is the Republican county chairman in Westchester, countered by asserting that while the county would welcome more state aid it generally had received a fair share of state funds for education.

In Rockland County, Kenneth R. MacCalman, superintendent of the Nyack public schools, denied that the county schools would benefit under the committee's recommendations. Instead of receiving an increase of $123,000, as had been announced in Albany, he said, the county would be forced to raise taxes to offset a loss in state aid.

STATE EASES LAW ON SCHOOL BOARD

Mayor Can Name Members With Less Attention to Where They Live

By WARREN WEAVER Jr.

Special to The New York Times.

ALBANY, April 7—Mayor Wagner was empowered today to fill vacancies on the New York City Board of Education with somewhat less regard for where the candidates live in the city.

Governor Rockefeller signed into law without comment a Republican-sponsored bill revamping the appointment system. It goes into effect immediately.

The new law removes the long-standing requirement that there be two residents of each of the four large boroughs on the nine-member board and one resident of Staten Island.

Instead, the Mayor will be able to fill future vacancies with any city resident, as long as each of the five boroughs has a representative on the board.

The Mayor will be required to give at least thirty days' notice of his intention to make an appointment, but he need not identify in advance the person he plans to appoint.

The revised statute also requires the Mayor to "take into consideration" in making appointments recommendations given him by "representative associations, civil, educational, business, labor and professional groups, active or interested in the field of education and child welfare."

The bill was sponsored by Senator MacNeil Mitchell, Republican of Manhattan. It is designed to give the Mayor more flexibility.

Other actions by the Governor on pending bills included these:

CIVIL SERVICE PENSIONS

The Governor signed a bill that will extend until next July 1 the time for applying for supplemental pension benefits under the old law, which was to have included only those who retired before June 30, 1960.

STATE SERVICE CONTRACTS

A bill authorizing separate plumbing, heating and electric contracts for state buildings when the total cost exceeds $50,000 was approved. Under the old law, separate contracts could be awarded if the total cost was more than $25,000. Mr. Rockefeller said the move would save the state $100,000 a year.

POTATO DISEASE CONTROL

The Governor signed a bill extending for another year the state's program to combat the golden nematode disease, which involves helping to compensate farmers for their efforts in eradicating the potato pest.

GUN LICENSE FEES

Under a bill signed by Mr. Rockefeller, counties outside New York City will be able, beginning next Jan. 1, to charge from $3 to $5 for a gun license. The old fees ranged from 50 cents to $3.

NEW YORK CITY CIGARETTE TAX

Mr. Rockefeller approved a Wagner administration bill that will permit New York City to charge a tax on cigarettes containing substances other than tobacco. The state was given this authority a year ago.

MIGRANT LABOR RECORDS

The Governor signed into law a bill requiring farm labor contractors and crew leaders to list on payroll records of migrant laborers the number of units produced, if piecework is involved; the number of hours worked, if pay is on an hourly basis, and all withholding from wages.

Effect Delayed

The change in the procedure for appointmen members of the Board of Education will not affect the city until next year when the terms of three of the nine members expire.

The seven-year terms of three members of the non-salaried board expire on May 1, 1962. They are the Rev. Gardner Taylor of Brooklyn, Charles J Bensley of the Bronx and Vito F. Lanza of Queens.

The term of one member—Andrew G. Clauson Jr. of Richmond—expires next month, but Mayor Wagner has already announced his reappointment.

The other members of the board and the year in which their terms expire are: Cornelius J. Walsh of the Bronx, 1963; Dr. Charles F. Rank, Queens, 1964; Francis W. H. Adams, Manhattan, 1965; Charles H. Silver, Manhattan, 1966; and Mrs. Cecile Ruth Sands, Brooklyn, 1967. Mr. Silver is president of the board and Dr. Rank is vice president.

Although several members of the board privately objected to the change it was proposed, the board took no official stand. The explanation was that it would be improper for the members to commit the board to a position on a matter that could personally affect them.

The new law was hailed yesterday by Dr. Frederick C. McLaughlin, director of the Public Education Association. Thirteen years ago the association issued a report by Dr. McLaughlin that urged that all borough designations be dropped.

The report also called for the appointment by the Mayor of a nominating panel to recommend three qualified persons for each vacancy. However, the proposal said that the Mayor would bound to select one of the three.

Similar changes were also proposed two years ago in a report made by Charles F. Preusse, then City Administrator. He said that since "educational policy is city-wide, not segmented by boroughs," the borough basis for board membership should be abolished.

New Rochelle Plea On Schools Fails

By the Associated Press

New York

The United States Court of Appeals has dismissed as "premature" an appeal by the New Rochelle, N.Y., Board of Education from a lower court ruling that it practiced segregation in Lincoln school.

In dismissing the appeal by a 2-to-1 decision Thursday, the court said it did not wish to get into the issues involved until the United States District Court had entered its final decree.

The board now has until May 3 to submit to District Judge Irving R. Kaufman, who made the original finding, a plan to desegregate its school system. A time extension can come only from the district court.

The action against the board had been brought by the parents of nine Negro children attending the Lincoln school. They asserted the children's constitutional rights had been violated because they were not permitted to attend any other New Rochelle school.

14d(1) 1961

NEW YORK

Cardinal Spellman Hits Discrimination In Education Aid

NEW YORK—Millions of parents would be called upon to surrender freedom of mind and religion to share in the Federal aid to education program suggested to President Kennedy, Francis Cardinal Spellman charged here.

The Archbishop of New York assailed a Kennedy task force's proposal for $5.8 billion in Federal assistance exclusively to public grade and high schools as a discriminatory program that Congress would not enact.

He argued that the government —as it has in the past—can give aid directly to students of church-related schools and not violate proper Church-State relations.

He also said that denial of Federal funds to children whose parents exercise their right to send them to church-related schools is a denial of the purpose of the first amendment of the constitution which seeks "to protect the individual person from government repressions."

* * *

"SUCH LEGISLATION would discriminate against a multitude of America's children because their parents choose to exercise their constitutional right to educate them in accordance with their religious beliefs," he said.

"Under these proposals, parents would be compelled to surrender both freedom of mind and freedom of religion in the education of their children as a condition for sharing in Federal education funds, in direct violation of the liberties guaranteed by the First Amendment to the U. S. Constitution," he said.

The Cardinal read his prepared remarks (Jan. 17) at the final report meeting of a New York archdiocesan drive for $25 million for education. He told the meeting at Cardinal Hayes High School, the Bronx, that the drive was oversubscribed by $15 million.

* * *

THE PROPOSAL for four years of large-scale aid to public schools was made by a six-man task force named by President Kennedy. The group proposed a $9.3 billion program, of which $5.8 billion would go to states for the use of public elementary and secondary schools.

Private, nonprofit schools would share in the proposal only on the college level. They would continue to participate in the Federal government's College Housing Loan Program, which the Kennedy group proposed be expanded.

President Kennedy has not indicated what disposition his administration will make of the task force's proposal. However, he went on record during the presidential campaign as opposed to "unconstitutional aid to parochial schools."

* * *

CARDINAL SPELLMAN said that in view of the communist threat and the United States' need to train every American to his highest potential, he finds it "unthinkable that any American child be denied the Federal funds allotted to other children which are necessary for his mental development because his parents choose for him a God-centered education."

He said he thought Congress would not pass such legislation.

"As an American whose loyalties have been challenged only by communists," he said, "I cannot believe that Congress would accept the proposals of the task force and use economic compulsion to force parents to relinquish their rights to have religion taught to their children."

"I cannot believe," he continued, "that Congress would discriminate against Lutheran, Baptist, Catholic or Jewish parents—Americans all — in the allocation of educational funds."

* * *

CONGRESS, he said, can subsidize children and students without subsidizing the schools. "It is a matter of record that programs of direct grants to students and children attending church-related schools do not breach the wall of separation of church and state," he said.

The Cardinal cited the GI Education Bill, which allowed veterans to choose their schools, and the War Orphans Educational Assistance Act of 1956, which permitted children of fathers killed in combat to use the Federal money given them at the college of their choice.

The Cardinal noted that the Kennedy task force suggested a flat grant of $30 annually to states for each public school child.

"By denying this measure of equality to church-related school children and their parents," he said, "the task force proposals are blatantly discriminating against them, depriving them of freedom of mind and freedom of religion guaranteed by our country's Constitution whose first amendment was adopted to protect the individual person from government repression . . ."

The Cardinal said that if Congress adopted the task force's proposal, it would be engaging in "thought control" because a child would be compelled to attend a state school as a condition for sharing in education funds.

New Rochelle Negroes Make Plea

They Call for Integration of School Immediately

By Denslow M. Dade

NEW ROCHELLE, N. Y., Jan 25.—Counsel for the Negro parents who yesterday won their Federal Court desegregation case against the New Rochelle Board of Education today asked the board to consider immediate starte of desegregation of Lincoln School.

Judge Irving R. Kaufman has instructed the board to present to him by April 14 a plan to correct the racial imbalance of the 92 per cent Negro Lincoln building, a situation which he blamed on policies of the board.

Paul B. Zuber, lawyer for the parents, pointed out to Merryle Stanley Rukeyser, president of the board, Dr. Herbert C. Clish, superintendent of schools, and Murray Fuerst, City Corporation Counsel, "that in the light of the decision of Judge Irving Kaufman on Jan. 24, 1961, I am urgently requesting that immediate relief be granted to the youngsters involved in the court action and that they be assigned to desegregated schools pending your decision as the possibility of an appeal or presentation of your plan to the court on April 14."

Since the opening of the semester in September, parents of eleven Negro children have refused to send them to Lincoln School, but nave had them privately tutored. These parents were plaintiffs in the Federal Court suit.

"Now that the court has spoken," Mr. Zuber said, "it seems only fair that these boys and girls should return to the public education system at a satisfactory school and so resume contact with other youngsters. It is still considerable time until April 14 or until the thirty days elapse which the board is allowed in which to decide if it will appeal." He added that re was seeking the immediate registration at this time only for the children who have been kept out of school.

Meanwhile Mr. Rukeyser, Mr. Fuerst and Julius Weiss, a counsel to the board, were studying the forty-eight-page opinion of Judge Kaufman. Mr. Rukeyser said that if the decision sets a precedent in law, he would personally advocate appeal to the highest courts. "Federal court law becomes the law of the land and school authorities in all the states must know where they stand," he said.

In Other Schools

He added that two-thirds of all Negro elementary pupils in New Rochelle are in buildings other than Lincoln School and 72 per cent of all Negro students in the city are in other buildings, including two junior and one senior high schools. The board is scheduled to meet Wednesday to decide what its next move will be.

Judge Kaufman in yesterday's decision declared that the Lincoln School has been established "as an all-Negro school by the gerrymandering of district lines and by the transfer of white children residing in the district to schools outside the district."

New Rochelle Schools Ordered Desegregated

New York — The NAACP praised a federal judge's order this week calling for desegregation of a predominantly Negro school in the suburban city of New Rochelle, N. Y.

In his ruling, federal Judge Irving R. Kaufman declared the New Rochelle Board of Education has "deliberately" created and maintained a racially segregated school. He ordered the board to present before April 14 a plan to desegregate the school, starting no later than the 1961-62 school year.

Commenting upon the decision Roy Wilkins, NAACP executive secretary, asserted:

"Judge Kaufman has brought New Rochelle up to date. Everyone knew that the Lincoln School was established 30-odd years ago for the purpose of gathering most of the Negro children into a Jim Crow school. The Board of Education chose to ignore the Supreme Curt decision of 1954 and authorized the building of a new jim crow Lincoln School on the same old

Later Mr. Wilkins said the decision may have a far-reaching effect in that gerrymandering of school districts and the companion manipulation of transfers of children on a racial basis has constituted a favorite method of boards of education in northern cities in bringing about segregated schools.

Judge Hits N.Y. School Bias; Orders Mixing

NEW YORK — (UPI) — A federal judge ruled Tuesday that the New Rochelle, N. Y., Board of Education gerrymandered school district lines to establish an all-Negro school in that suburban Westchester county city.

U.S. Judge Irving R. Kaufman decreed that the board must present a plan of desegregation by April 14 to become effective no later than the start of the 1961-62 school year.

The gerrymandering of district lines to establish the all-Negro school was accomplished by the transfer of white children residing in the district, the court said.

The court referred in this connection to Lincoln school. The parents of Lincoln school pupils had asked the court to find that their constitutional rights had been violated.

The board's principal contention was that the existence of an all-Negro or a predominantly Negro school is not, in and of itself, a violation of the constitution.

"The constant reiteration of this argument indicates the board's preoccupation with semantics at the expense of realities," Kaufman said. "This is not a case where the existence of an all-Negro school is an unfortunate fortuity."

Violence Hint In School Row

NEW YORK — (UPI) — President Kennedy and Gov. Nelson A. Rockefeller have been asked to investigate threats of violence against Negro parents who won a recent desegregation case against the New Rochelle board of education.

Their attorney, Paul Zuber, has charged that the parents have been besieged with threatening letters since federal Judge Irving Kaufman ruled Jan. 3 that Lincoln Elementary school was segregated in defiance of the 14th Amendment to the Constitution.

"There were threats in Little Rock and there were threats in Georgia and one day somebody wakened and found that a school had been blown apart," Zuber added.

BOMB THREAT

Tension in the community increased with the announcement by police that they had received a telephoned bomb threat Saturday against Lincoln school.

No bomb was found.

Zuber said that police and the board of education had purposely withheld news of the bomb threat—a charge which police denied.

New York City to extend school mixing program

NEW YORK, March 31 —(AP)— The city school system's "open enrollment" racial integration plan will be extended next Fall to 4433 first and second grade students in 12 schools.

The program, which so far has taken in only students in the third grade and above, also will be open to children on the kindergarten waiting list, the Board of Education said.

Under the program, pupils who normally would attend overcrowded neighborhood schools with predominantly Negro and Puerto Rican enrollments may elect to attend designated less-crowded and integrated schools outside their districts.

The plan was started last Fall as an integration measure. Presently, 212 elementary school pupils and 312 junior high school students attend schools outside their districts.

Next September, the program will include 2830 pupils now in grades three to five, who already have been granted transfers, and 2429 pupils now in grade six who will enter junior high school.

There is no legal or intended segregation in New York City schools. Neighborhood racial patterns, however, have in some cases created nearly all-Negro or all-white school enrollments. The Board of Education has been taking several steps toward a greater mingling of the races.

COURT BARS PLEA BY NEW ROCHELLE

Appeal in Segregation Case Held Premature—School Plan Is Put First

An appeal by the New Rochelle Board of Education from a lower court finding that it practiced segregation in its school system was dismissed as "premature" yesterday by the United States Court of Appeals.

The effect of the 2-to1 decision, it was said, will be to force the board, for the first time in eleven years, to take action on the problem.

The board has until May 3 to submit to Federal Judge Irving R. Kaufman, who made the original findings, a plan to desegregate its school system.

The Appeals Court said the board could appeal the decision only after a final order had been entered by Judge Kaufman. The order would follow acceptance by the court of a desegregation plan. The higher court acted without going into the issues involved, but rather on a matter of jurisdiction.

The action against the board had been brought by the parents of nine Negro children attending the Lincoln School. The contention was that the constitutional rights of the children had been violated because they were not permitted to attend any other New Rochelle school.

The majority opinion of the Appeals Court, written by Judge Henry J. Friendly and concurred in by Judge J. Joseph Smith, said:

"The appeal is dismissed for want of appelate jurisdiction at this time. Although it should not be necessary to do so, we add, from abundant caution that this dismissal involves no intimation on our part with respect to the propriety or impropriety of the determination of the district court.

"If the defendants feel that the time that has been required for the disposition of this issue compels them to request a further extension of the date for presenting the plan, they should make their application to the district judge."

Judge Leonard P. Moore, in dissenting, said he believed the statute would permit an appeal.

The board had asked the Appeals Court to stay the order for the desegregation plan until the appeal had been decided.

N.Y. Schools Must Integrate

NEW YORK — (UPI) — Federal Judge Irving R. Kaufman has refused to delay full integration of the Lincoln Elementary school in nearly New Rochelle, N. Y.

Kaufman denied a stay sought by the New Rochelle Board of Education of the judge's order directing the board to submit a desegregation plan of the 94 per cent Negro school by April 14.

At the same time Kaufman refused an order sought by the parents of 11 Negro students to permit the students to register in other New Rochelle schools in the meantime. The children have not gone to public school since September.

Kaufman accused both the Board and the Negroes of "not acting in good faith." He said that instead of sitting down and discussing the problem "both sides have taken their case to television, radio and newspapers, making a solution more difficult."

The school board has filed a notice of appeal from Kaufman's order. Kaufman warned that if the board did not submit a desegregation plan by April 14, it would be in contempt.

14d(1) 1961 NEW YORK

Decision At New Rochelle Seen As Blow To Northern Segregation

Journal and Guide

Norfolk, Va.

NEW ROCHELLE, N. Y. — One of the plaintiffs in a school desegregation case here has hailed Judge Irving R. Kaufman's order that Lincoln school must be desegregated during the 1961-1962 school year.

Mrs. Wilbert Taylor predicts, that "The decision will end Northern de facto segregation, at least as far as we are concerned, and I hope it is sweeping enough to include many Northern cities where we know this problem exists today."

MRS. TAYLOR was one of several plaintiffs whose children were withdrawn from the 94-per-cent Negro student body at Lincoln school.

Judge Kaufman, in a 48-page statement Tuesday, ruled that the New Rochelle school board had manipulated school district lines and made undercover transfers to create a nearly all-Negro student body, at Lincoln school.

THE SCHOOL board was ordered to submit a plan for desegregating the school's classes within the 1961-1962 school year. The plan must be submitted by April 14.

There was speculation among some Negro leaders that Judge Kaufman's ruling might have widespread effect on other Northern cities where segregation is practiced in public schools.

Sharp Angles Used to Bar Negroes

New Rochelle School Desegregation Shifts Fight to Northern Areas

The Courier

Pittsburgh, Pa.

Sat. 2-4-61

By ALFREDO GRAHAM
(Courier Staff Writer)

NEW ROCHELLE, N. Y.—The school desegregation fight has now shifted to the North, officials of the NAACP told The Courier here.

The ruling of Federal Judge Irving R. Kaufman that the New Rochelle Board of Education had "deliberately" created and maintained a racially segregated school through gerrymandering of school districts will bring out into the open the subtle manipulations being practiced by hundreds of towns in the North.

• The Courier was told that it was "quite safe" to say that situations similar to the New Rochelle case exist in New York, Pennsylvania, Ohio, New Jersey (just to name a few) and every Northern state, and in areas of Southern California.

Steps may be taken to urge local chapters of the NAACP to study situations in their locales and report to the sociologists of the NAACP, so that a start may be made by the legal department on desegration proceedings in the courts, if necessary.

Southern bigots, who openly declare they will defy the desegration ruling of the Supreme Court, hav been laughing openly at the holier-than-you attitude of the North towards segregation in the South, while they secretly use manupulations and transfers of children on a racial basis to keep lily-white schools in many Northern towns.

■

COMMENTING on the New Rochelle decision, Roy Wilkins, NAACP executive secretary, asserted: "Judge Kaufman has brought New Rochelle up to date. Everyone knew that the Lincoln School was established 30-odd years ago for the purpose of gathering most of the Negro children into a Jim Crow school. The Board of Education chose to ignore the Supreme Court decision of 1954, and authorized the building of a new Jim Crow Lincoln School on the same old site."

• The NAACP has vowed to strike down "the favorite method" of Northern school boards to achieve their objective of gerrymandering school districts segregated schools.

The Rev. Melvin D. Bullock, president of the New Rochelle branch of the NAACP and a group of nine parents sparked the fight, which resulted in the desegregation order. They were given able assistance in the fight by Atty. Paul Zuber, who has long been associated with the tussle against school segregation in New York.

Mr. Zuber started his desegregation fight within days after he was admitted to the bar and in 1957 won national fame for his efforts in this direction.

IT IS INDICATED that the New Rochelle School Board will obey the law and present a desegregation plan before April 14, as ordered by Judge Kaufman.

• In New York City, where the Board of Education voluntarily undertook a program of "open enrollment" in order to combat the blight of segregated schools, due to the neighborhood school pattern, the board reported last week, that a total of 3,080 public elementary school pupils now in the second, third and fourth grades, have applied for transfer from their present schools to schools in other neighborhoods in September.

A similar project, involving sixth grade students, who will enter junior high school in the fall, is now in progress, with applications returnable by Feb. 7.

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THE PROGRAM, initiated by the board, last August, permits pupils in selected grades in schools with a heavy concentration of Negro or Puerto Rican population, to enroll in schools with a varied ethnic population.

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Because the response has not been as high as was expected by civic groups concerned with the problem of segregated schools due to the neighborhoods in which they are located, efforts are being made through P-TA groups and other organizations to take fuller advantage of the board's program. Of the 95 "sending" schools under the program, all but one returned at least one transfer form. The largest number was from PS 170, Manhattan, Lenox Ave and 111th St.

Associate School Supt. John B. King, in charge of elementary education, said applications were sent to some 50,000 pupils attending the "sending schools" in Brooklyn, Bronx, Queens and Manhattan.

The Borough of Richmond, is not included in the plan, because there are no schools there with a heavy concentration of Negro and Puerto Rician students.

School Board Gets Race Plan Delay

The Atlanta Constitution

NEW YORK, March 25 (UPI)—The New Rochelle board of education has been given extra time until May 3 to comply with a federal order that it produce a school racial desegregation plan.

In the United States Court of Appeals, Judge Leonard P. Moore, Henry J. Friendly and J. Joseph Smith did not grant the stay of execution requested. They said they were uncertain of their jurisdiction in the matter while the board was in the midst of appealing the decision.

The appeals court judges granted the extension to allow time for examination of the jurisdiction issue.

New York School Ordered To End "Gentlemen's Agreement" Form Of Segregation By Gerrymander

Plaintiffs Charge Bias Was Behind The Scene Transfers

By GERALD L. STONE
(United Press International)

NEW ROCHELLE, N.Y. (UPI)—A federal judge Tuesday ordered this fashionable Westchester community to "desegregate" a public school made 94 per cent Negro by alleged manipulation of school district lines and behind-the-scenes transfers of white students.

The decision of U. S. District Judge Irving R. Kaufman at a hearing in New York was expected to have immediate repercussions on any other northern public schools that are comprised mainly of white or Negro students because of so-called "gentlemen's agreements."

"It will have tremendous impact on practically every northern city in the Unite States where segregation is practiced on a wholesale basis by officials who mouth support for integration," said Paul B. Zuber, attorney for nine Negro plaintiffs in New Rochelle's Lincoln school case.

"Boston, Chicago, Detroit and other cities will have to start looking very closely to determine whether their schools are predominantly white or Negro by accident or by design," he said.

HAS 82,000 POPULATION

The Negro plaintiffs, who fought the case partly with funds raised from rallies in New York and surrounding Westchester County suburbs, were jubilant over Kaufman's decision.

"This will end nothern — brand segregation, by least as far as we're concerned," said Mrs. Wilbert Taylor, who since last September has kept her two children out of Lincoln school under protest. "And I hope it works in Scarsdale and other places too."

New Rochelle, one of the larger of the commuting communities north of New York has a population of 82,000, including between 17,000 and 18,000 Negroes.

Lincoln School is located in a heavily Negro district of the city, and the Negro parents contended that the number of their children among its 485 students was far out of proportion to the actual racial composition of the neighborhood.

ORDERS DESEGREGATION PLAN

Kaufman found that the school board had purposely "gerrymandered" district lines to keep white residents separated from incoming Negroes and, where manipulation of district lines did not work, had quietly arranged for transfers of white students to other districts.

At the same time, Negro applicants were not allowed the same opportunity to transfer, the court found.

Kaufman, in a 48-page ruling, ordered the school board to present a plan of desegregation by next April 14. It would become effective no later than the start of the 1961-62.

Attorneys for the school board had based their case on the contention that a predominantly Negro school was not, in itself, a violation of the Constitution.

"The constant reiteration of this argument indicates the board's preoccupation with semantics at the expense of realities," the judge said. "This is not a case where the existence of an All-Negro school is an unfortunate fortuity."

Brooklyn Children Make Neighborly Call in Queens



Some of the sixty Negro children of Public School 44 in Bedford-Stuyvesant section of Brooklyn perform on toy flutes for their hosts during assembly at Public School 196.



The New York Times (by Robert Walker)

Anne Louise Cohen of Queens and Ross Rogers of Brooklyn attend a fourth-grade class in French at the all-white school in Forest Hills. Queens' pupils visited P. S. 44 last year.

Negro and White Pupils Get 'A' in Integration

One Child Simply Remarks: 'I Just Like Visitors'

60 Brooklyn Children Visit School in Forest Hills

By PHILIP BENJAMIN

Sixty Negro school children from Brooklyn called on 275 white children in Queens school yesterday.

While teachers talked about "opportunities for exchange" and "broadening of horizons," a white child who probably did now know what "sociology" meant said:

"I just like visitors."

The Negro children, between 8 and 10 years old, came from Public School 44 in Brooklyns preponderantly Negro Bedford-in Forest Hills, which is pre-Stuyvesant section to P. S. 196 ponderantly white.

The school principals—Abraham P. Tauchner of Queens and David Gordon of Brooklyn—had arranged the visit. It was reciprocal, since pupils from P. S. 196 had visited P. S. 44 last year.

Both the hosts and the guests were in the third and fourth grades. The P. S. 44 children arrived by bus at about 9:30 A. M. and went to the auditorium. Hosts and guests were neatly attired in honor of the occasion.

The Negro children trooped to the stage and presented a program of songs "from many lands." They sang "The Zulu Warrior" and Brahms' "Lullaby" and a Norwegian folk song and a Polish folk song. They also played, on toy flutes, a number by Joseph Haydn, who, as one girl explained to the audience, "lived long ago in Austria."

They ended by singing Victor Herbert's "I Can't Do That Sum," with gestures. It was a socko finale much appreciated by the audience.

After reading the first verse of Psalm 133—"Behold, how good and how pleasant it is for brethren to dwell together in unity!" — Mr. Tauchner announced that the Negro children would be split into small groups and distributed to various classes for the rest of the day.

The two principals said that both schools were about equal in age and construction, having been built some eight years ago.

Mr. Tauchner insisted that the exchange was "not an intercultural program in any way."

He did say, however, that because "in general the only contact these children have with Negroes is when the Negroes are domestics, we try to help the white children recognize that Negro children are as smart as they are."

Ross Delston, a 9-year-old blonde at P. S. 196, was not concerned with subtle sermons. He said he just liked the idea of visitors from other schools.

Negro Parents Win New Rochelle Fight

Federal Judge Irving R. Kaufman today accused the New Rochelle Board of Education of deliberately fostering a virtually all-Negro school and ordered its desegregation by the start of a new school year next September.

In a sternly worded 49-page opinion, the judge granted an injunction sought by a group of Negro parents to bar the school board from forcing them to send their children to the Lincoln Elementary School.

"The Lincoln school was established as an all-Negro school by the gerrymandering of district lines and by the transfer of white children residing in the district to schools outside the district," Judge Kaufman charged.

"The Board of Education of the City of New Rochelle was responsible for both of these policies," he said in his opinion.

The federal court action, started by the parents of 11 Negro children, stemmed from a bitter controversy in the Westchester County community.

In a series of acrimonious hearings last fall before Judge Kaufman, school officials conceded that 94 percent of the students at Lincoln school were Negro. They insisted that the situation resulted only because New Rochelle employed a "neighborhood school" policy which required children to attend classes in the area in which they live.

By throwing out this "neighborhood school" theory, Judge Kaufman's decision is expected to have far-reaching effect.

In his opinion, Judge Kaufman noted that at one hearing before him last November, a witness for the parents charged that the school board repeatedly had expanded the zone for the Lincoln school so it would absorb the influx of new Negro residents.

Judge Kaufman charged that the boundary changes were made secretly by the school officials and were neither "noted in board minutes, nor were reflected on official school maps for many years."

"It is highly significant that the board offered no evidence to refute the testimony indicating that this gerrymandering took place," the jurist noted.

Judge Kaufman ordered the New Rochelle school board to present to him a desegregation plan for the Lincoln school before April 14.

Noting that the school board has a public responsibility, the federal judge warned that it "must be exercised solely in the best interests of the children attending the schools.

"The board cannot relieve itself of this responsibility by giving the community whatever result might gratify the impulse of the moment," he said.

New York School Put Under Boycott

Segregation Is Charged By Negro Parents

NEW ROCHELLE, N. Y., Feb. 10. — (UPI) — The Negro parents of 176 of the 485 students at the 94 per cent Negro Lincoln Elementary School in this fashionable New York suburb kept their children home Friday to protest continued segregation at the school.

The parents claimed the boycott was a "tremendous victory."

However, School Superintendent Dr. Herbert C. Clish attributed the absences to many parents keeping their children home because they planned early starts on the three-day Lincoln's Birthday week end.

The issue came to a boil recently when a group of Negro parents went before Federal Judge Irving R. Kaufman to charge their children were not being given free choice of schools, but were forced to enter Lincoln Elementary School.

Judge Kaufman agreed with them, ruled that school district lines had been "gerrymandered" and ordered that the school be desegregated.

The boycott was planned after the board of education met earlier this week and voted to appeal Kaufman's decision.

Negro Pupils Aided By Westbury Voting To Expand Schools

Special to The New York Times.

WESTBURY, L. I., Jan. 29—Approval by taxpayers of a $2,296,000 school expansion program was hailed today by Dr. Cecil L. Rice, Superintendent of Schools, as "a tribute to the liberalism of the community."

He noted that under the new plan "Negro children in the predominantly Negro New Cassel School will be enabled to attend various other schools in the district."

The measure, adopted yesterday by a vote of 724 to 375, was submitted after the Board of Education had rejected a program that would have delayed the elimination of all-Negro classes in the New Cassel neighborhood until at least the fifth grade.

The approved program calls for construction of a twenty-seven-room elementary school on Park Avenue, New Cassel, at a cost of $1,402,000; an addition of three classrooms to the Dryden Street School, $171,000; an eleven-room addition to the Drexel Avenue School, $568,000, and renovation of the New Cassel School, $155,000.

Under this plan Negro children will be able to attend other schools in the district starting with the fourth grade.

Dr. Rice said the expansion would cause an estimated tax increase of 30 cents on each $100 of assessed valuation, making the new rate $5. The target date to complete the construction is September, 1962.

5 Rights Groups Enter N. Y. Suit

Ottawa Daily Herald

P. 5

NEW YORK — Five civil rights groups submitted a joint brief in Federal Court this week in support of Negro parents and children who have charged racial segregation in the public schools of New Rochelle, N. Y. Their brief was attached to a motion for leave to enter the case as amici curiae (friend of the court).

Atlanta Cas. 1-23-61

The organizations were:

American Jewish Committee;

American Jewish Congress;

Anti-Defamation League of B'nai B'rith;

Catholic Interracial Council of New Rochelle; and

Urban League of Westchester County.

The brief was filed as argument began in the Circuit Court of Appeals on an appeal by the New Rochelle Board of Education and its school superintendent, Herbert C. Clish, from two rulings by Federal District Judge Irving R. Kaufman.

On January 24, 1961, Judge Kaufman found that the New Rochelle school board had gerrymandered school district lines for the purpose of maintaining racial segregation in the Lincoln School, which has a Negro enrollment of 94 per cent. He held this violated the equal protection clause of the Fourteenth Amendment.

On May 31, Judge Kaufman issued a decree establishing a pupil transfer plan that would permit students in the Lincoln School to transfer to other schools where places were available for them. The case was originally brought by a group of Negro children formerly enrolled in the Lincoln School, and their parents.

In urging that both of Judge Kaufman's rulings be affirmed by the Court Appeals, the brief of the civil rights organizations declared:

"We believe that racial segregation in education is harmful for all children because it fosters stereotypes, creates a sense of inferiority and has a tendency to retard the mental, emotional and educational development of children. Such segregation is harmful whether it occurs in Southern or Northern communities and should be corrected wherever it exists.

"In the North, as in the South, questions of school desegregation have frequently been characterized by community tensions and conflicts. Unhappily, such has been the situation in New Rochelle, where this case arose. It is precisely for this reason that these amici, as civic organizations with a constituency residing in the community of New Rochelle, submit this brief for the consideration of the court."

The law brief said that New Rochelle's practice of gerrymandering school district lines as a device for achieving racial segregation in public schools, which Judge Kaufman found in his January 24 decision, "may indeed be typical of other communities." For that reason, the organizations said, "this case . . . will be an important precedent in winning equality of opportunity for children in those communities."

The brief was signed by Edwin J. Lukas of the American Jewish Committee; Leo Pfeffer of the American Jewish Congress; Arnold Forster of the Anti-Defamation League of B'nai B'rith; and Simon Rosenzweig and Arthur Pulley of the Urbn League of Westchester County.

Theodore Leskes of the American Jewish Committee, Sol Rabkin of the Anti-Defamation League, and Joseph B. Robinson of the American Jewish Congress were listed in the brief as "of counsel."

14d(1) 1961

NEW YORK

New Rochelle School Case

Journal + Guide P. 1

8 Parents Arrested; File Suit Against Board For $12 Million

Norfolk Va. Oct 12-11-61

Halted N. Y. School Segregation

Special Correspondence

NEW ROCHELLE, N. Y. — Eight parents, who were arrested and who later won two court victories in their campaign to keep the Lincoln School here from continuing largely on a segregated basis, have authorized their counsel to file suits for a total of $12 million.

The suits were ordered aimed at the president of the New Rochelle Board of Education, Merryle Stanley Rukeyser; Herbert C. Clish, superintendent of schools; Mrs. Betty Meager, city manager; Lee Kahan, principal of William B. Ward Elementary School, and Mayor Stanley W. Church.

THE EIGHT plaintiffs were hailed into court Sept. 21 on charges of loitering on the Ward School grounds when they tried to register their children. They were acquitted Nov. 20 by Acting City Judge Robert J. Burton.

Mrs. Willine Murphy, Paul B. Dennis Jr., Mr. and Mrs. Wilbert Taylor, Mr. and Mrs. Rudolph Williams, Thomas Garland and Mrs. Barbara Hall will ask $1.5 million each.

THEY CHARGE that the city and school officials acted in concert in attempting to intimidate them in their efforts to bring desegregation to Lincoln and other New Rochelle schools.

In a suit in U. S. District Court recently parents in the Lincoln School district won a victory on Jan. 24 when Judge Irving R. Kaufman ruled that the board had set up Lincoln School district lines in a manner to include every Negro family possible.

Judge Kaufman ordered the board to present a desegregation plan by April 14.

LINCOLN School's colored pupils form about 93 per cent of its total. The Ward School's percentage of white pupils is even higher, although both school areas have mixed population.

Last year a city-wide referendum approved a plan to build a $1.3 million new Lincoln school on the same site as the old one. It was expected to have provisions for junior high school as well as elementary grades.

Plans for the new school have been held up because of the outcome of the federal suit.

14d(1) Ny



With the Lincoln School of New Rochelle, N. Y. in the background, the Rev. M. Dewitt Bullock (right), pastor of the Union Baptist Church and president of the New Rochelle NAACP, reads a congratulatory telegram to women. The women (left to right) are: Mrs. Lester Williams, Mrs. Walter Murphy, Mrs. Wilbert Taylor, Mrs. Rudolph Williams, and Mrs. Albertha Brewton, mother of Mrs. Lester Williams.

Congratulations were in order following the ruling of Federal Judge Irving Kaufman, who ordered New Rochelle school authorities to desegregate the Lincoln School, currently 94 per cent Negro. Judge Kaufman ruled that school authorities had "gerrymandered district lines" and made undercover transfers of white students to keep Lincoln primarily colored. (UPI Photo)

Fighting mothers happy in ruling

(EDITORIAL ON PAGE 4)

NEW ROCHELLE, N.Y. — "This is just wonderful. It's a wonderful thing they have done. We're hoping to get the children in an integrated school soon . . ."

Mrs. Rudolph Williams was giving her reaction to a federal court ruling that desegregated Lincoln School, across the street from her home.

"Lincoln School should be torn down and the parents should be allowed to send their children to any schools in the city," she said.

Mrs. Williams and eight other parents filed suit after their children were denied admission to integrated schools in New Rochelle.

Meanwhile, Paul Zuber, the young Harlem attorney who won the case, moved to get the children involved into integrated schools in February.

"I sent telegrams to the superintendent of New Rochelle schools, and the president of the board of education asking for immediate relief for the children, who have been out of school since September, 1960." he told the AFRO.

"If I do not hear from them by Jan. 31, I will move in Federal court."

Mrs. Williams had reasons to be happy she had spearheaded a movement to integrate the elementary school which has 500 pupils, 94 percent of them colored.

The Lincoln school was established as an all colored school by gerrymandering of district lines. White children residing in the district were transferred to outside schools, but colored children were denied such transfers.

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JUDGE KAUFMAN, in a 48-page opinion, directed the New Rochelle Board of Education to draw up a plan for desegregating Lincoln School within the next two months and to put the plan into effect by Sept. 1, if the court approves its provisions.

He ordered the board to submit the plan by April 14, and to put it into effect for the 1961-62 school year.

Judge Kaufman accused the board of gerrymandering the district-moving neighborhood lines so that colored children would be forced to attend the Lincoln School. He said that the school board had been preoccupied with "semantics" at the expense of the "realites for the past 11 years."

Judge Kaufman declared that the U.S. Supreme Court decision condemning segregation in schools in 1954 "was a lesson in democracy" and "imposed a legal and moral obligation upon officials who had created or maintained segregated schools to undo the damage which they had fostered."

"Compliance with the Supreme Court's edict was not to be less forthright in the north than in the south, "he said.

"No double standard was to be tolerated," Judge Kaufman said.

THE RULING was clear cut victory for the parents of 11 pupils who were denied the right to register in any school but the Lincoln school.

A number of parents were arrested when they disregarded an order by a state court and accompanied their children to white schools to register. Final action on the arrests was put off pending Judge Kaufman's findings.

Witnesses for the Board of Education vigorously contended that the charge of racial segregation was absurd. The parents charged that their constitutional rights had been violated.

After a five-day hearing, Judge Kaufman ruled:

"The defendant's (school board) conduct has violated the Constitution, denying plaintiffs the right to equal protection of the laws guaranteed by the 14th Amendment.

"I find that the Board of Education of New Rochelle, prior to 1949, intentionally created Lincoln School as a racially segregated school, and has not, since then, acted in good faith to implement desegregation as required by the 14th Amendment; and that the conduct of the Board of Education even since 1949 has been motivated by the purposeful desire of maintaining Lincoln School as a racially segregated school."

Other parents involved in the litigation included:

Mrs. Hallie Taylor, Mrs. Willene Murphy, Mrs. Barbara Hall, Mr. and Mrs. Walter Taylor, and Thomas Garand.

"Judge Kaufman has brought New Rochelle up to date. Everyone knew that the Lincoln School was established 30-odd years ago for the purpose of gathering most of the Negro children in a jim crow school. The Board of Education chose to ignore the Supreme Court decision in 1954 and authorized the building of a new jim crow Lincoln School on the same old site."

Later, Wilkins said the decision may have a far-reaching effect in that gerrymandering of school districts and the companion manipulation of transfers of children on a racial basis had constituted a favorite method of boards of education in northern cities in bringing about segregated schools.

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JULIUS WEISS, a lawyer for the New Rochelle Board of Education, said if Judge Kaufman's ruling is sustained the school district policies of most northern cities will require revision.

He said most northern communities have similar policies which require children to attend schools in the neighhoods where they live.

The school board president, Merryle Stanley Rukeyser said of the court decision:

"We have no segregated schools — just neighborhood schools. I feel that the board has acted lawfully. We have drawn no racial, color or religious lines.

Both Weiss and Rukeyser said the judge's decision will be studied in detail before decision is made on whether to appeal.

Zuber, counsel for the parents of the 11 children, said the decision made him "very happy for the people of New Rochelle and the people throughout the country."

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IN ANOTHER school segregated development, the Georgia Legislature abandoned the state's rigid school segregation laws.

In a historic session, four separate bills replaced a mass of earlier statutes that kept the races in separate schools. Sponsors said the bills offered the most feasible method of holding integration to a minimum.

One is a local option bill allowing voters in a school district to close public schools by referendum to avoid integration. Schools could be reopened in a later referendum if voters decide they prefer public schools to private.

A second authorizes tuition grants for pupils who do not wish to attend integrated schools. It wipes out compulsory segregation of white and colored pupils in public schools.

Another revises procedures for appeals to the state board of education and removes certain supervisory authority now held by the board to forestall any state-wide integration orders from federal courts.

The fourth, a proposed constitutional amendment to be voted on next year in a general election, would guarantee freedom of association — that is — children of different races cannot be foreced to attend the same school. The proposal also reaffirms the state's power to tax for education.

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IN KINGSPORT, Tenn., the city board of education voted to begin a grade-a-year plan of school desegregation next September.

In Chattanooga, Tenn., Federal District Judge Leslie R. Darr called the city school board's plan for limited desegregation of schools unacceptable and ordered a new plan be submitted within 90 days.

In Galveston, Texas, U.S. District Judge Ben Connally ordered Galveston to start integrating its public schools in September, one grade at a time. The schools would be completely desegregated in 1972.

In Richmond, Va. a federal appeals court ordered a South Carolina federal district court to hear a case brought by elementary school pupils known as "turks" who are seeking to enter white schools.

In Charlotte, N.C., Federal Judge Wilson Warlick said he would hear arguments in a desegregation suit against the Mecklenburg County School Board on Monday.

In Houston, Texas, 12 colored children who integrated the nation's largest segregate school system keep pace with their classmates during last semester.

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IN BATON Rouge, La. Gov. Jimmie H. Davis said it was possible that Louisiana could "abandon its public school system in the fight against racial integration."

In Atlanta, Ga., administration leaders offered bills in the General Assembly to make sweeping changes in Georgia's legal defenses against school desegregation.

In Memphis, Tenn., Joseph C. Tally of Fayetteville, N. C., president of the Kiwanis International said his club brothers have failed to insist on law and order in areas of racial violence.

"Take Little Rock or New Orleans for example," he said, "It's quite all right to have different views on integration. But honorable men cannot take different views of law and order."

In Little Rock, Ark., Gov. Orval E. Faubus, visibly disappointed over the defeat of his local option school-closing amendment in the last general election, has proposed a new measure to impede school desegregation in Arkansas.

In Atlanta the Georgia House of Representatives passed two open-school bills Tuesday, and the Senate passed one. There was little opposition.

14d(1) 1961

NEW YORK

Show Bias In N.Y. Schools

NEW YORK (AP) — Upper-income parents in New York's famous "silk stocking district" bitterly attacked the board of education's recent rezoning efforts by using "educational standards" as a blind for their segregationist stand, it was reported.

Two residents of the area, Bob and Phyllis Goldman, tell the story of "Segregation: Park Avenue Style" in the new issue of Look Magazine. Mrs. Goldman is a former New York City school teacher.

For years, children in the "Silk Stocking District" which includes some of the highest-priced town houses and apartments in the world, had attended Public School 6 which was especially zoned to permit a virtually all-white student body.

FIGHT BEGAN

Negro and Puerto Rican youngsters who lived in tenements adjoining the wealthy area attended other schools.

The fight began when the board of education announced that the district would be rezoned in accordance with old established, but neglected regulations, with some P. S. 6 students transferred to a new one, P. S. 198.

The majority of the other students would be the Negroes and Puerto Ricans who had attended a ramshackle building which P. S. 198 replaced.

SEGREGATIONIST GENTEEL

Mr. and Mrs. Goldman noted "Our segregationists are more genteel. But they were ready to employ many of the same devices and arguments as Southern racists."

Essentially, they reported in Look: "The 'silk-stocking' opposition variously employed three basic lines of argument.

Putting white and Negro children together is dangerous, physically and spiritually to the whites; integration means poorer schools and less educational opportunity; integration is a left-wing idea, supported by left-wingers."

IN PRIVATE SCHOOLS

Many of the children who were supposed to be transferred are now in private schools. Today about 25 percent of the students in P. S. 198 are white.

"Segregationist feelings," Look adds, "is still very much alive in this area, although many of the people do not express it openly. If they did, it would somehow mar their self-image as well-informed, intellectual people."

Mixing Ordered in N.Y. School

NEW YORK (AP) — A federal judge Tuesday held the New Rochelle school board responsible for racial segregation in a public grammar school. He ordered an end to the practice by next fall.

District court Judge Irving R. Kaufman said only about 30 of the Lincoln school's 500 pupils are white, the rest Negro. He added:

"The Lincoln school was established as an all-Negro school by the gerrymandering of district lines and by the transfer of white children residing in the district to school outside the district.

"The board of education of the city of New Rochelle was responsible for both of these policies."

New Rochelle is in suburban Westchester county. The Lincoln school case was the first instance in the metropolitan area of out-and-out racial segregation to come to public attention. There have been complaints that some New York city schools are segregated, but through the racial makeup of their districts rather than intentionally.

2 Mississippi Officials Plug Segregation Here

2 L. I. Clubs and N. Y. U. Professor Invited Them, Wilkins 'Shocked'

By David Miller

Two Mississippi state officials —politely preaching the gospel of segregation—came to New York yesterday at the invitation of two Long Island civic clubs and a New York University professor.

"We're not trying to convert anyone," said Erle Johnston jr., of the Mississippi State Sovereignty Commission, "but segregation is the only way of life possible for Mississippi. Anything else would be disastrous to both races."

"We are not entirely without sin," added Chancery Judge R. P. Sugg. "We've made mistakes, but be assured Mississippi's Negroes are more than contented. They like the way things are. It's the outsiders who make the trouble."

"Proud Anglo-Saxon Heritage"

The pair—the first avowed segregationists sent east by Mississippi in a campaign to reach the nation—will make three appearances here in the next twelve days, stressing that integration would end "Mississippi's proud Anglo - Saxon heritage."

Judge Sugg, forty-four, of Eupora, Miss., (pop. 1,480) will address the Port Jefferson, L. I., Rotary Club at noon today in the Elk Hotel, Main St., Port Jefferson, and visit N. Y. U.'s Washington Square College of Arts and Science at 1:30 p. m. tomorrow.

The third engagement will be on Jan. 20 before the Long Island Federation of Women's Clubs, Inc., at the Masonic Temple in Rockville Centre, L. I., but Judge Sugg and Mr. Johnston will return home in the interim.

Roy Wilkins "Shocked"

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, said last night he was "shocked" New York audiences would receive "emissaries from a rotten, barbaric state."

"We have no objection to these speeches. This is a free country, even though it doesn't work that way in Mississippi. No college class, Rotary Club, women's club or white church there would dare have a speaker on desegregation.

"Mississippi's record with Negroes is the worst in the South. I mean segregated schools, terrible court injustices and a plantation system that survived the Civil War. The only lynching in the last few years (that of Mack Charles Parker, April 24, 1959, in Poplarville) belongs to Mississippi."

Negroes on Film Interview

The N. Y. U. appearance was arranged by Dr. Elsa Elizabeth Robinson, who as an associate professor of psychology teaches a three-credit course on "The Psychology of Group Prejudice" at 21 Washington Place. Her students are scheduled to see a twenty-seven-minute film featuring interviews with Mississipi Negroes backing segregation.

Dr. George D. Stoddard, N. Y. U.'s chancellor and executive vice-president, said the invitation was designed for "one speaker to present one point of view to this class and to participate in a serious discussion of issues raised by present events."

"We expect our visits to be cordial," Mr. Johnston said. "We've already been to Minnesota, Illinois, Missouri, Iowa, Nebraska and Michigan without an incident. We've come here to tell the truth about Mississippi, the nation's most misunderstood state."

Volunteer Speakers

Mr. Johnston, editor of "The Scott County Times" in Forest, Miss., (pop. 3,917) said the commission, created and financed by the Mississippi State Legislature, provided volunteer speakers at no expense to the host group.

Interest in the commission was stimulated, he explained, through the mailing of a leaflet titled "Are You Curious?" to various Rotary Club throughout the country (Mr. Johnston is a nineteen-year Rotarian, by including the leaflet in merchandise shipped from Mississippi and by the use of out-of-state subscription lists of Mississipi newspapers.

"Former Mississippians join clubs in their new communities and often help in lining up engagements," Mr. Johnston added.

"We do not believe our problems can be solved, or even improved, by court decrees or even Congress," Judge Sugg said. "Both white and Negro leaders openly deplore the pressure tactics which actually are gaining nothing for the Negro, but creating mistrust and suspicion.

Second-Class Citizenship

"You must live with this situation in order to fully comprehend it. If there is such a thing as 'second-class citizenship,' then it certainly cannot be changed by statutes or court orders. There is no short cut to first-class citizenship.

"Bayonets won't build brotherhood. Good relations between whites and Negroes can improve only on a voluntary basis. We realize the great responsibility which rests on our shoulders and Negroes in Mississippi are satisfied that we will give them justice."

Medgar Evers, the N. A. A. C. P.'s Mississippi state secretary, was now serving a thirty-day jail sentence and had paid a $100 fine for contempt of court after criticizing a recent state court decision.

NEGROES REJOICE IN NEW ROCHELLE

Most Residents Hail Court's Decision to Desegregate the Lincoln School

Special to The New York Times

NEW ROCHELLE, N. Y., Jan. 25—Negro residents in this suburban city were jubilant today over the Federal court decision in New York yesterday that the Lincoln School must be desegregated.

The elementary school, on the rim of the old downtown business district, has 500 pupils, 94 per cent of them Negroes. It is one of twelve elementary schools here, each with a neighborhood district.

"It's wonderful, it's marvelous, it's grand," Mrs. Marjorie Williams said of the ruling by Judge Irving R. Kaufman. She has sent her two children to a tutor since September rather than return them to the Lincoln School. "Lincoln School should be torn down and parents should be allowed to send their children to any school in the city," she said.

Mrs. Walter Murphy said the decision was "a wonderful victory for the Negro people and a great victory for all America."

She said it would be "good for white children if more Negroes were in their classes." Mrs. Hallie Taylor, Mrs. Barbara Hall and Mrs. Eileen Hunter agreed.

But Mrs. Carrie Prockman, a Negro neighbor, disagreed as she escorted her three children home from Lincoln.

"The school has been very nice," she said. "There should be more talk about the good education it provides and not so much talk about what color people are."

New Building Urged

James and Joseph Washington, operators of a taxicab fleet, said that all the Lincoln School needed was a new building and some redistricting to end segregation.

Edward Hubbard, a mechanic, said that he, his mother, his daughter and his grandchild had all attended Lincoln and had found it good, although he believed that the boundary lines should be rearranged.

"Every white man who insists on segregated schools should be hanged," Joseph Green, who has three sets of twins, said. "How can any man with intellect deprive us of equal rights?"

Paul Zuber, lawyer for the Negroes in the Federal court case, sent telegrams today demanding that fourteen children of his clients be immediately accepted in the predominantly white schools.

Dr. Herbert C. Clish, superintendent of schools, said no decision on that demand or on the question of appealing the court decision would be reached for a week.

Segregation Dealt Blow In North

NEW ROCHELLE, N.Y. (UPI) A federal court order to "desegregate" a public school in this suburban New York City community today presaged similar action throughout the North.

U.S. District Judge Irving R. Kaufman ruled Tuesday in New York City that the New Rochelle School Board had manipulated school district lines and made undercover transfers of white students to create a 94 per cent Negro student body at Lincoln School.

He ordered the board to submit by April 14 a plan for desegregating the school to take effect within the 1961-62 school year.

Negro leaders were gratified at Kaufman's decision and predicted repercussions for other public schools in the North where segregation is practiced either openly or behind the scenes.

"Boston, Chicago, Detroit and other cities will have to start looking very closely to determine whether their schools are predominantly white or Negro plaintiffs in the Lincoln School case told United Press International.

Zuber said the ruling "will have tremendous impact on practically every Northern city in the United States where segregation is practiced on a wholesale basis by officials who mouth support for integration."

"There is no difference between segregation in Georgia and segregation in New York state," he said. "Only perhaps in the North do officials outwardly profess to follow the law."

Mrs. Wilbert Taylor, one of the nine plaintiffs, said the decision "will end Northern-brand segregation, at least as far as we're concerned, and I hope it works in (nearby) Scarsdale (N.Y.) and other places too."

Mrs. Taylor was one of several Negro parents who kept their children out of Lincoln School and under private instruction.

School officials declined to comment pending study of the 48-page ruling.

School Is Ordered Integrated in N.Y.

NEW ROCHELLE, N.Y., Jan. 24 (UPI)—A federal judge today ordered this fashionable Westchester community to intergrate a public school made 94 per cent Negro by alleged manipulation of school district lines and behind-the-scene transfers of white students.

The decision of U.S. District Judge Irving R. Kaufman at a hearing in New York is expected to have immediate repercussions on other Northern public schools comprised mainly of white or Negro students because of so-called "gentlemen's agreements."

"It will have tremendous impact on practically every Northern city in the United States where segregation is practiced on a wholesale basis by officials who mouth support for integration," said Paul B. Zuber, attorney for nine Negro plaintiffs in New Rochelle's Lincoln School case.

"Boston, Chicago, Detroit and other cities will have to start looking very closely to determine whether their schools are predominantly white or Negro by accident or by design," he said.

New Rochelle, one of the larger of the commuting communities north of New York, has a population of 82,000, including between 17,000 and 18,000 Negroes.

Lincoln School is located in a heavily Negro district of the city, but the Negro parents contended that the number of their children among its 485 students was far out of proportion to the actual racial composition of the neighborhood.

Kaufman found that the school board had purposely "gerrymandered" district lines to keep white residents separated from incoming Negroes and, where manipulation of district lines did not work, had quietly arranged for transfers of white students to other districts.

At the same time, Negro applicants were not allowed the same opportunity to transfer, the court found.

Loyalty Oath Discarded By City School System

By James J. Morisseau

Graduates of New York City's high schools no longer will be required to sign a loyalty oath in order to receive their diplomas.

The school system's Board of Superintendents, which in 1917 imposed the loyalty oath requirement, yesterday announced it had been withdrawn in favor of an oral oath to be recited voluntarily at graduation exercises.

Until now, no student of an academic high school could receive his doploma unless he signed a pledge which read: "I hereby declare my loyalty to the Constitution and government of the United States and of the State of New York, and I promise to support their laws to the best of my ability."

Controversy developed over the requirement last spring when five graduates refused to sign the pledge on grounds of "conscience." They ultimately received their diplomas under a general policy excusing students from the requirement if they objected on grounds of conscience or religion.

The new oath an "Ephebic Oath" similar to one recited at graduation ceremonies in three of the municipal colleges. It derives its name from the pledge taken by the "ephebi"—eighteen to twenty-year-old youths in ancient Greece—when they entered civic manhood.

There is no reference to "loyalty" in the new oath, but it binds those who recite it to "support and uphold the Constitutions and laws of our city.

N.Y. Judge Orders School to Integrate

NEW YORK (AP)—A federal judge Tuesday held the New Rochelle School Board responsible for racial segregation in a public grammar school. He ordered an end to the practice by next fall.

District Court Judge Irving R. Kaufman said only about 30 of the Lincoln school's 500 pupils are white, the rest Negro.

BLAMES GERRYMANDERING

"The Lincoln school was established as an all-Negro school by the gerrymandering of district lines and by the transfer of white children residing in the district to schools outside the district," the judge said. "The Board of Education of the city of New Rochelle was responsible for both of these policies."

New Rochelle is in suburban Westchester County. The Lincoln school case was the first instance in the metropolitan area of out-and-out racial segregation to come to public attention. There have been complaints that some New York City schools are segregated, but through the racial makeup of their districts rather than intentionally.

ASKS PLAN

Kaufman ordered the New Rochelle School Board to offer a plan of desegregating Lincoln school by April 14, to begin no later than the start of the 1961-62 school year.

The case was brought before court by the parents of 11 Negro pupils at Lincoln school, on constitutional grounds. They previously had tried to transfer their children to predominantly white schools outside the Lincoln district.

The School Board had replied that its policy calls for children to attend schools in the district in which they live.

PARENTS UPHELD ON SCHOOL DATA

Supreme Court on L. I. Says They Have Right to Inspect Reports on Children

BOARD TOLD TO COMPLY

Judge Notes Law Does Not Define School Records as Confidential

By HOY R. SILVER

Special to The New York Times.

MINEOLA, L. I., Jan. 19—The right of a parent to inspect his child's public school records was upheld today in the State Supreme Court here.

Justice William R. Brennan Jr. affirmed the right in the absence of "constitutional, legislative or administrative permission or prohibition."

He ordered the East Meadow School District to permit Edward J. Van Allen to inspect "all of the school records" of his son Edward, a seventh-grade pupil at the Woodland Junior High School.

Mr. Van Allen, 42 years old, lives at 595 Adelphi Street, East Meadow. He is the chief official court stenographer of the State Supreme Court here. Last Nov. 2 the school turned down his written request to inspect the school records. He filed suit here Nov. 16.

In refusing the request, the board said its policy was to keep a parent informed through report cards, periodic private conversations with teachers, and, if requested, interpretations of the personal files of the child by qualified school personnel.

Constitution Reviewed

In his decision, Justice Brennan said there was nothing in the state Constitution that dealt specifically with the problem. He also said there were no legislative pronouncements in the state education laws "either granting or taking away from a parent the right to inspect the school records of his or her child."

He noted that the Legislature had seen fit to define public records as available to all persons for inspection and other records as confidential and not subject to inspection by the public.

However, Justice Brennan added, "neither counsel nor the court has been able to discover any legislation dealing with the nature of the school records at issue here as being either 'public' on the one hand, or 'confidential' on the other, or of the right of a parent as distinguished from the public at large to inspect them."

The State Commissioner of Education has provided for the maintenance of mental health records of children, Justice Brennan said, and has further provided that they be kept confidential except with the consent of the parent. But, he added, the regulations governing these records "are silent on the right of either the student or parent to inspect the child's records."

Mr. Van Allen's appeal to see his son's records was based on a decision by Ewald B. Nyquist, Acting Commissioner of Education, on Sept. 22, 1960. The decision dismissed an appeal by Arthur Thibadeau Jr., a member of the Levittown School Board, who had objected to a new policy of the local board making pupils' records—including intelligence tests and psychiatric reports—available to parents.

Justice Brennan said the petitioner's rights stemmed "not who, under compulsory education from his status as a taxpayer or otherwise, has delegated to them the seeking to review, the records of a public corporation, but child" from his relationship with the

Governor's Children Enroll At Integrated School Here

Betsy Sanford, 11, and her 8-year-old brother, Terry Jr., were more composed than their mother when they enrolled at Raleigh's Murphey School Monday.

The shift in schools was another of the many changes in the life of the two youngsters that have occurred since their father was elected Governor of North Carolina. Another change was their move from Fayetteville to a big brick gingerbread house on North Blount Street here—known as the Governor's Mansion.

The two children, accompanied by their mother and Hugh Cannon, assistant to the Governor, arrived at Murphy School, a few blocks from the Governor's Mansion, shortly after 8:30 a.m. After a few formalities in the office of Principal Lynn Kerbaugh, they were assigned classes, and became the first children of a Southern governor to attend an integrated school.

Integrated School.

The Murphey School, one of Raleigh's oldest, is the only integrated school in the Raleigh system. It has one Negro child, William Campbell, 7, a second grader.

As she filled out an admission form in the principal's office, Mrs. Sanford was a bit nervous.

"What's our address?" she asked at one point.

"I think just 'Governor's Mansion' will do," a bystander suggested.

"What's our telephone number?" she asked. Then she turned to Terry Jr. to inquire, "when were you born, Terry? What's your birthday?"

Betsy and Terry were more composed. They offered their report cards to Principal Kerbaugh with wide grins of confidence.

In a few minutes, the formalities were all completed and Betsy took her place in Mrs. Barbara Sidler's sixth grade class, and Terry J. was in Mrs. Carl McDuffie's third grade.

GOVERNOR SENDS 2 CHILDREN TO MIXED SCHOOL

RALEIGH, N.C. (AP)—Gov. and Mrs. Terry Sanford plan to enroll their two children at an integrated public school here today.

They said the presence of one Negro pupil at the Murphy Elementary School, a block and a half from the executive mansion, would not deter them from sending Betsy Sanford, 11, and Terry Sanford Jr., 7, there.

White children who live in the area of the governor's official residence normally would attend the school. The governor said he expects his children to be treated like the children of any other family.

Judge ponders school decision

GREENSBORO, N. C.

A pair of school desegregation suits, filed on behalf of more than 300 Durham youngsters, was taken under advisement by a federal judge here last week.

Judge Edwin M. Stanley gave no indication when he would rule. Attorneys for the plaintiffs said that if it were not for jim crow school assignment, 40 per cent of Durham's colored pupils would be in desegregated schools.

The suits asked Judge Stanley to rule that the state's pupil placement act is unconstituional as applied by the Durham board. They ask desegregation of the school system on all levels from janitor to principal.

Mixing Suit Is Postponed

CHARLOTTE, N.C. (AP) — Judge Wilson Warlick, faced by a crowded docket in U.S. District Court Monday, postponed hearing the suit by eight Negro children seeking admission to white Mecklenburg County schools.

Judge Warlick set no definite date for the suit against the county school board, but it appeared the case might not come up for another week.

It represented a slight additional delay for the Negroes, whose quest for admission to white schools began more than three years ago.

The parents, Charlton A. Morrow, Charles Hunter and Frank Boyce, tried unsuccessfully in 1957 and again in 1958 to have their children entered in white county schools. The actual suit, filed in February, 1959, charged the county school board with racial discrimination in pupil assignments.

During a court meeting late in 1959, Judge Warlick said each case is "persona, and individual" and that local boards have full authority in such matters because of the state's pupil assignment law. He added that "if they (the plaintiffs) are entitled, they will get into the schools."

The suit was first filed against the county board, the State Board of Education, the North Carolina Advisory Committee on Education, and individual members of these groups. Later, Judge Warlick ruled that only the local board is properly a defendant.

The board answered the suit in April, 1959, saying admission to white schools was denied the children because the schools were crowded; because "information to which it was entitled" was withheld; and after consideration of the welfare of the pupils involved.

Last February, Judge Warlick postponed the case until after consolidation of the Mecklenburg County and Charlotte city school systems.

Take Note Gov. Davis

N.C. Governor's Children Attend Integrated School

CHICAGO, Ill. (ANP) -- North Carolina's Gov. Terry Sanford, in Chicago to speak at an annual Mohogany Association convention, said it was not a personal crusade that led him to enroll his children in an integrated school.

Sanford, who took office two weeks ago, said: "It is the nearest school to the governor's mansion."

However, he added: "It might be good to have a governor trying to prove children can get along."

His children, Terry Jr., 8, and Betsie, 11, were the first of any Southern governor to enter an integrated school.

The 42-year-old ex-FBI agent said integration in his state is a "delicate problem... requiring understanding."

But, he said, it is no more important than other problems.

Integrated School Favored By Group

CHARLOTTE (UPI) — White parents who own houses in the Harding School area say they prefer an integrated school in the neighborhood more than an all-Negro facility because of their investments in their homes.

Carson Y. Conder, acting as spokesman for about 150 parents who signed a petition, told the county school board its decision to convert Harding High to an all-Negro school sharply devalued their property.

Carson said the announcement of the school board caused real estate to fall $3,000 in value overnight. The parents asked that white students be kept in the school and to allow integration rather than transfer all the white pupils to another school.

The school board had planned to remove all the white pupils from the Harding High School and turn it over to Negro pupils. The decision was believed based on demonstrations at the school in 1957 against the enrollment of a Negro girl with white students at Harding High.

Conder said the parents could not afford to "abandon the money we've invested in our homes to flee to other areas, to suburbia."

He said he was not "crusading for integration," but that he was "concerned about the tremendous drop in property values that have come since the decision to move white students out."

N. C. Pupil Law Is Basis For Ruling In Case

The News & Observer
Raleigh, N.C.
Jan 31-61
P. 2

CHARLOTTE (AP) — Federal Judge Wilson Warlick said Monday he will use North Carolina's pupil assignment law as the basis for the ruling in an integration suit brought on behalf of eight Mecklenburg County Negro children.

Attorneys for the Negroes, seeking transfers to all-white schools, asked Monday that the City-County School Board be ordered to submit a plan for future integration of the school system.

In reference to the proposed plan, Judge Warlick emphasized that the state law will remain the basis for pupil assignment so long as the law remains constitutional.

Judge Warlick said the law's consttutionality was not at issue in this case. The main issue, he said, is whether the law was unconstitutionally administered in 1958 when the county board last denied transfer requests by the Negroes.

The judge said he probably will reach a decision in the 2-year - old suit before April 15. He added that any ruling which calls for integration would be effective next September. Attorney will file their proposed rulings about March 15.

The suit was filed in February, 1959 against the Mecklenburg County School Board and subsequently was continued a year to allow for the consolidation of the city and county schools.

The case for the Negroes was handled largely by Derrick Bell, a young lawyer for the National Association for the Advancement of Colored People Legal Defense Fund. Two Negro parents and J. S. Wilson, former superintendent of the County School Board, were the only witnesses during the three-hour hearing.

Wilson, now associate superintendent of the consolidated school board, testified the board had not changed its pupil assignment policies since the 1954 Supreme Court decision.

Wilson stated that it is the custom of the board to assign students to the same school they attended the previous year. First year students return to schools they attended the pre-school health clinics.

The burden on county white schools, Wilson added, has been heavy because the number of white students has doubled since 1950. The number of Negro students, he explained, has remained about the same.

At the outset of the trial, Judge Warlick turned down motions by City-County school Board attorney Frank Snepp that the suit be dismissed or continued. The judge also denied a motion by Bell that two sons of the state NAACP president, Kelly Alexander of Charlotte, be added to the list of plaintiffs.

3 WF Grad Schools Can Admit Negroes

The News & Observer
Raleigh N.C.
P. 1
Jan 4-29-61

WINSTON-SALEM (UPI)—The board of trustees of Wake Forest College voted Friday to allow the schools of law, medicine and the Division of Graduate Studies to "admit qualified applicants without regard to race."

The trustees deferred action on a request of the faculty of the School of Liberal Arts and Business Administration to modify the college's custom of excluding Negroes.

The request was made specifically so the school's admission committee could rule on the application of Edward Reynolds, 19, of Ghana, West Africa.

The trustees turned down a request from the Student Legislature to permit supervised on-campus dancing. The board said it could not allow dancing at the Baptist school in view of the action of the Baptist State Convention of 1957, which reaffirmed its stand against dancing.

Wake Forest students voted overwhelmingly recently to permit dancing.

The trustees at their regularly-scheduled meeting also approved a $7,891,020 budget for the next academic year. This included money for all units of Wake Forest College, including the Bowman Gray School of Medicine.

If Reynolds had been admitted to Wake Forest, his education would have been financed by a group seeking to break the racial barrier at the college and encourage Africans to study there. There was no indication when the trustees might reopen the question of admitting Negroes on the undergraduate level.

CHAPEL HILL GETS INTEGRATION PLAN

North Carolina School Unit Goes Past Token Steps

CHAPEL HILL, N. C., July 4 (AP)—The Chapel Hill School Board laid down a broad policy of pupil assignment last night that would racially integrate all elementary schools here. (The policy) applies only to pupils in the first grade.

But the board also wrote in an escape clause giving parents the "right or privilege to request transfers" of their children.

The Board went far beyond the token integration effective in many North Carolina schools. It voted to assign first graders to schools on a geographical basis next fall. If the tentative school zones discussed last night are adopted, some white children will be assigned to Negro schools and some Negro children will be assigned to white schools.

Three new white board members, sworn in earlier in the same meeting, combined with a holdover Negro member to adopt the policy by a vote of 4 to 1. One of the seven board members was absent and the chairman, J. K. Jones, does not ordinarily vote except to break ties.

Token Step Last Year

Token integration became effective in this town, home of the University of North Carolina, only last year when three Negro children were assigned to the first grade of a white school. They will attend the same school again this year.

White residents of the Carrboro community objected last night to the new policy and to a tentative zoning system that would assign twenty-five Negro first graders to their white school. The board then voted unanimously to draw the zone "so that Carrboro will get the smallest possible number of Negro students."

School Superintendent Joseph M. Jonston had drafted the tentative zoning system for the board's consideration.

Besides assigning twenty-five Negroes to the white Carrboro School, the system would assign eight white children to the Negro Northside School, five Negroes to the white Glenwood School and ten to twelve Negroes to the white Estes Hills School.

The board adopted only the assignment policy, delaying a decision on zone lines. After the new zones are drawn and pupils are assigned, parents will be allowed a certain number of days to request reassignment of their children.

Second Negro Child Assigned to Murphey

The assignment of a second Negro child to formerly all-white Murphy Elementary School here was approved Tuesday by the Raleigh Board of Education.

Caroline Yvonne Washington, eight-year-old daughter of Mr. and Mrs. John C. Washington of 705 East Edenton St., was assigned to the second grade at Murphey for the 1961-62 school term.

The child has been attending St. Monica's Catholic School. Her parents had applied to the city school board for admission to Murphey.

William Campbell, eight-year-old son of Mr. and Mrs. Ralph Campbell, last fall became the first Negro student enrolled at a white school here when he was assigned to Murphey.

Gov. Sanford's two children attend the Murphey school, located on North Person Street a couple blocks from the Executive Mansion.

Little Discussion.

The school board Tuesday approved assignment of the Washington child with little discussion. A question arose as to the distance from the Washingtons' East Edenton Street residence to Thompson School for Negroes on East Hargett Street.

Superintendent Jesse O. Sanderson told the board; "It's about the same distance as Murphey."

The school board deferred action on an application to transfer the Washingtons' step-daughter, Rose Marie Ellis, 16, from Ligon Junior-Senior High School to all-white Needham Broughton High School.

The parents stated in their transfer application for the Ellis girl that they preferred she attend Broughton because it is a senior high school, rather than a junior and senior high combination.

Board member J. W. York said he didn't think that a sufficient reason to grant the transfer. He suggested that the board defer action on the request until the Ellis girl and her step-parents could appear before the school board to discuss the matter.

A lawsuit challenging the constitutionality of the Pupil Assignment Act was recently filed in U. S. Eastern District Court against the city school board by a group of Negroes here

At Trinity

Segregated Schools Blamed For Trouble

TRINITY (UPI) — A field secretary for the NAACP told a Negro church gathering under police surveillance Sunday night a near race riot would not have developed if Trinity schools were integrated.

"It is tragic that it is necessary to have two schools in this community," said Charles MacLean of Winston-Salem. "So, it is necessary to send children out of ear-shot . . . of the school to a store."

Fist Fight.

He referred to a fist fight between a group of white teenagers and young Negroes Monday night in front of the Trinity Grill—located directly across from the all-white high school.

This incident stimmed from refusal of service to two Negroes in the girl that morning by Robert Parris, the 19-year-old assistant manager.

Donald Gray, president of the local NAACP chapter read a statement to the gathering of about 300 Negroes, denying that NAACP had anything to do with the incidents.

This was echoed by MacLean in his talk which followed.

"The NAACP had nothing, absolutely nothing, in initiating the incidents other than that the local people belonging to the NAACP were participating as citizens," MacLean said.

However, the field secretary said the NACP stood ready to provide legal and financial support if necessary.

Four highway patrol cars and two Randolph County sheriff's department cruisers blocked off both ends of the road leading into the Negro section and questioned or turned away any whites except newsmen who wanted to go into the area.

Pupil's Transfer Request Denied

The application of a Negro boy to enter Daniels Junior High School was denied Tuesday by the Raleigh Board of Education.

Gilbert Hunter, who has finished the sixth grade at St. Monica's School, a private parochial school, was assigned instead to Oberlin Road School, an all-Negro school. He is the son of Mr. and Mrs. Gilbert Hunter of 1308 Oberlin Rd.

The boy's sister, Gloria Ann Hunter, was assigned to Daniels by the board at its August meeting. She will enter the ninth grade.

Ten Negro students will attend three previously all-white Raleigh schools, when the schools open today. They are:

Murphey — William Campbell and Carolyn Washington, both third-graders.

Daniels Junior High School — Gloria Ann Hunter, Arnell Jones, Larry Manuel, Rebecca Bryant, Ann Morgan.

Broughton Senior High—Cyntha Williams, Myrtle Capehart, Dorothy Howard.

School Boycott Settled in N.C.; 2nd Continues

RALEIGH, N.C. (AP)—One Negro school boycott has been settled but a second continued Monday.

The State School Board reported that a boycott at the Snow Hill rural Negro school in Warren County has been abandoned and the students transferred to another school.

But in Charlotte, a boycott of the Irwin Avenue Junior High School for Negroes, continued. About 800 Negro students were assigned to the school, which Negroes sought unsuccessfully to have integrated.

The consolidated Charlotte-Mecklenburg County school office said 363 students attended classes Monday, a rise in attendance over last week.

The boycott, in its eighth day, started with the opening of school after the school board declined to assign white students to the school.

Negroes Demand Whites Be Sent to Their School

CHARLOTTE, N. C., Sept. 1 (UPI) — An all-Negro Junior High School was picketed yesterday by eight Negroes who demanded white students be assigned to the school.

Last year the Irvin Avenue Junior High School was used by whites only. About 700 Negro students were assigned to the school when a new school for whites was constructed at the end of the school year.

Twenty-six Negroes were enrolled in desegregated Charlotte schools without incident yesterday.

Judge Clears Way For N. C. Integration

GREENSBORO, N. C. (ANP) —U. S. Middle District Court Judge Edwin M. Stanley ruled last week that a Negro student is entitled to attend Chapel Hill Junior High School and that five other Negro students can take steps that could lead to the integration of Caswell County Schools.

In Warren County

Negro Students Boycott School

By GENE ROBERTS JR.

WARRENTON — Forty Negro students, aided by their parents, are waging a "stay at home" boycott against conditions in their two - room, frame elementary school three miles west of Warrenton.

Only four students out of an anticipated enrollment of "about 45" reported for classes in the little Snow Hill building when the county school system opened its doors Wednesday.

The same four students reported Thursday. Six students were in class Friday.

Two-Teacher School.

The six grade, two-teacher Snow Hill school has outdoor toilets, "pot bellied" stoves and an outdoor water pump. It is one of 11 small frame buildings used in instructing Negro students in Warren County. All of the county's white students are enrolled in brick buildings.

"School officials have been promising us off hand for about 10 years that we would be consolidated into a better school," said farmer - carpenter Melvin Tunstall, a past president of the Snow Hill PTA and chairman of a "better schools committee."

"This year we felt we have gone the last inch," he said. "A group of us PTA members met Monday night and decided to call the boycott.

"But if they (the school officials) had given us any kind of encouragement or recognition we would have put our children in with integration or segregation. It's just to try and get better school. This has nothing to do schools for our children."

Warren County School Supt. J. R. Peeler agreed that the "school conditions are deplorable — they are all they (the boycotters) say they are."

But Peeler said the county is taking steps to consolidate the small schools "in line with the county's pay as you go school building policy.

"We have accumulated $50,000 to apply toward building a school in the southern part of the county which will consolidate all the 11 little schools.

"This, however, will take at least two years under pay-as-you-go," Peeler said. "We have been making progress, though. We have consolidated 19 of the little Negro schools in the four years I have been superintendent."

Peeler said the school administration has never promised the Negro parents that their students would be out of the frame schools by a specific deadline.

"We're doing all we can," he said, "but they are pushing us faster than we can go under pay-as-you-go."

Earlier this year the Warren School Board considered the possibility of transporting the Snow Hill students into Warrenton to attend Hawkins Negro High School. "But then we learned this would make Hawkins too crowded. And also, in dealing with the Snow Hill school, we have to consider there are 10 others just like it," Peeler said.

Expected Transfer.

Tunstall said the Snow Hill parents had come to expect the transfer to Hawkins and felt they had "little hope" of a better school when the transfer possibility faded.

"As I recall, this school opened when I entered the first grade here 38 years ago," said Tunstall, who is 44. "The money came from the Rosenwald Fund and was matched by the parents and probably by some county money. I remember very well how the adults back then sold ice cream in my father's front yard to raise money for the school."

A faded picture of Julius Rosenwald, onetime board chairman of Sears, Roebuck and Co. and world-famous philanthropist, still hangs on a green-painted board wall in the school.

Light for the school is supplied by three naked light bulbs, suspended from the ceiling on five-foot cords. A bare, 15-foot elbow-type pipe connects one of the hand-stoked stoves with a chimney.

Outdoor Privies.

Two outdoor "privy-type" toilets are located about 200 feet from the school building. A hand pump, the only source of water, is also about 200 feet away.

"In the winter when it's raining the children have to wade into school, and then wade to the pumps and the toilet," Tunstall said.

Tunstall said two of his 12 children are college graduates "and the school looks just like it did—maybe even worse—when they attended it." Three of his children are now enrolled in Snow Hill.

Peeler said Warren County has 4,200 Negro students, 1,700 whites and 300 Haliwars, who claim descent from an Indian tribe.

"Our white buildings," he said, "are in fairly good condition. But they are old — most of them 40 to 50 years old."

The last county money spent for white schools was two years ago for a gymnasium, Peeler said.

"I would estimate that in the last four years, 80 per ent of all the money we have spent for buildings has gone for Negro schools," he said.

State Bond Funds.

Included in recent school expenditures was about $600,000 in State bond money. Peeler was contacted at home and said figures showing county-financed construction were not immediately available.

He said the county "has no bonded indebtedness for schools. The only bonded indebtedness in the county is for a hospital."

"In our construction spending, we haven't been able to concentrate entirely on the little schools," said Peeler. "The Negro high schools have their needs, too. We've just completed an agriculture shop at one of the schools."

One of the new Negro elementary schools was completed in 1959. This year, two classrooms were added to it.

Warren County's major building effort has been aimed at upgrading the buildings, Peeler said.

Warren lost population in the last decade — about 3,500 persons — and has not had to meet heavy enrollment increases.

The county has a tax rate of $1.75 per $100 valuation. The valuation is based on 40 per cent of fair market value as determined in a revaluation survey last year.

Schools receive 53 cents of the $1.75 for current expenses and 46 cents for capital outlay.

Indian Pupils Enroll Quietly In Harnett

DUNN — The entry of 18 or more Indian youngsters into previously all-white Dunn High School Thursday afternoon was apparently as quiet as last year's attempted entry was noisy.

During the past few days the Indian teenagers have come in and registered like any other new students and have been fitted into the regular class schedule.

Last year's attempted sit-in by several Indian youngsters and demonstrations around the school by their parents became a national incident.

Despite some bitter words and high tempers, several Indian parents were arrested for violating a court order that they stay off the school grounds, there was never any physical violence here.

The Harnett School Board asserted that the Indian applications were turned back last year because they were improperly filled out.

Grade school applications by Indian youngsters seeking transfer from Maple Grove Indian School were turned down. The Harnett board ruled that the grade school case was substantially different from that of the high school applications.

High school age Indians were having to take a long bus ride to Eastern Carolina Indian School near Clinton, whereas the grade schoolers have an elementary building close to their homes. The board said, to admit them to the Dunn grammar school was not justifiable.

Boycotts Plague Warren Schools

The News and Observer

WARRENTON — Two schools—white and Negro—were plagued by boycotts in Warren County Tuesday.

Some patrons of Afton-Elberon Elementary School refused to enroll their children at Macon School pending a hearing on a restraining order request in the Warren County courthouse Thursday at 2:30 p.m.

Six Show Up

Only six of 45 Negro pupils appeared at rural Snow Hill School, where a boycott began last week in a protest over facilities.

Asked if any action had been contemplated under the compulsory school attendance law, J. Rodger Peeler, superintendent of county schools, said it had not been determined how many of the Negroes are remaining away from the school because of the boycott or the tobacco harvest.

"Enrolilment is usually off in September because of the tobacco harvest in Warren County," declared Peeler, "but the lack of students at the Snow Hill school is not due entirely to the tobacco harvest."

A hearing that had been scheduled Tuesday afternoon in the fight over the Afton-Elberon school's scheduled loss of pupils was postponed by Judge Raymond B. Mallard, who rescheduled the hearing for Thursday.

Big Turnout Expected

Spokesmen for the Alton-Elberon patrons said a large turnout is expected for the hearing since 216 residents of the Afton-Elberon Community had signed a petition protesting the transfer.

Afton - Elberon Elementary School, which has had four teachers and 150 pupils would have its teacher allotment reduced to three and total enrollment to 105. The school would use only four of its present six classrooms.

The Macon School, a high school built in 1917, is being converted to a junior high with the transfer of Afton-Elberon's seventh and eighth grades.

Proponents of the Afton-Elberon school have expressed fear of losing their school built in 1951 if the 31 pupils are transferred.

They also contend that students being transferred would lose 180 hours of school time annually because of traveling a greater distance via school bus.

Afton-Elberon is in District No. 2 and Macon Junior High in District No. 1.

Segregation Charge

Indians Seeking Court Injunction

The News and Observer

A group of Harnett County Indian parents appeared in Eastern District U. S. Court here Wednesday and charged that the Harnett County School Board is operating segregated elementary schools.

Fourteen Indian couples asked the court to issue a temporary restraining order, a preliminary injunction and a permanent injunction against the school board and county school superintendent G. T. Profitt.

They said their children were denied admission to the Magnolia Avenue, Wayne Avenue, and Mary Stuart white elementary schools and were assigned to the Maple Grove Elementary School. This was done despite the fact that they made application on proper forms and in due time, the plaintiffs said.

The federal court was told that the Indians appealed the school board decision, but that the Harnett County officials turned down an appeal last July. The Indians said that they "have now exhausted their administrative remedies."

The plaintiffs told the court that the Maple Grove School is "very much inferior in quality to the grammar schools located in Harnett County and oprated for non-Indian children . . . and to grammar schools in North Carolina on the average."

Assignment to the Indian school is "not brought about or attributed to geographic location of the school to the children," the group said.

Indian high school students were admitted to the previously all-white Dunn High School for the first time this fall, after a long series of protests including a sit-down strike.

AUGUST 1961
CHARLOTTE, N.C.- NAACP

Charlotte NAACP Drive Desegregates 4 Schools

Va. mixes classes in 3 more areas

CHARLOTTE, N.C. — The local NAACP branch's current program to expand desegregation of public schools, under the direction of Mrs. U. S. Brooks, has resulted in integration at four Mecklenburg County elementary schools this year.

Following the Charlotte-Mecklenburg Board of Education July meeting, it was announced that 14 children were asigned to predominately white schools and one other youth was re-assigned to a previously white school.

The current project was begun earlier this year with the appointment of a special committee, headed by Mrs. Brooks, local chapter president, to contact over 100 parents to explain their constitutional rights in the field of public education.

Parents of children denied transfers have requested a hearing before the school board.

* * *

AT WINSTON - SALEM, all but three of the 615 students registering for the second session of summer classes at Wake Forest College were white.

The three colored students registering for classes were identified as Kernard C. Rockette, Mary Ann Hollins and Samuel O. Hatcher.

Rockette is a former Howard University student who plans to enroll at A. and T. in Greensboro in September.

Hatcher attended Shaw Univesity in Raleigh last year, but is transferring to Virginia Union University at Richmond in the fall, while Miss Hollins is a student at Barber - Scotia College in Concord, N.C.

* * *

IN OTHER school news, the Goldsboro Board of Education has turned down the application of Shirley Ann Craft to transfer from Dillard High School — less than two blocks from her home —to Goldsboro Junior High.

Lemuel Z. Craft, district manager of an insurance firm, said he wanted his daughter to attend "an exclusive junior high school where she will have all the equipment and facilities required in pursuing quality education."

And out in Texas, where some strides have been made toward desegregation, the dean of admissions at Texas Tech announced that its classrooms have been integrated for the first time.

The announcement by Floyd Boze, however, did not contain the names or numbers of colored students enrolled.

* * *

IN ACTION on the Virginia School front, the State Pupil Placement Board assigned 21 children to formerly all-white schools in four localities. The three - man board rejected the applications of 20 others.

Integration for the first time came to King William, Montgomery and Roanoke Counties. The board made one assignment at Cave Springs High in Roanoke County; two at Blacksburg High and another to West Point High in King William.

Other assignments included 12 to Pulaski High and five to Dublin High in Pulaski County, both previously integrated.

* * *

AND IN NORFOLK, the school board rejected 81 applicants, while accepting 32, to formerly all - white schools. Victor Ashe and J. Hugo Madison, attorneys for the pupils, said they have not decided on whether to appeal the rejections.

The board accepted 5 of 14 applying at Maury High, 2 of 4 at Norview High, 1 of 8 at Norview Junior High, 15 or 25 at Northside Junior High, 3 of 4 at Ingleside, 2 of 23 at Robert E. Lee and 4 of 19 at Suburban Park.

Some 26 have filed to enroll at seven Newport News schools, including about "six or eight" children of Fort Eustis servicemen.

Some 24 pupils filed to desegregate Newport News schools last year, but only three showed up for tests—all failing the examinations.

* * *

AND IN ATLANTA, due to get token integration in the fall, Georgia officials have let it be known they are reluctant to use two segregation laws in an effort to thwart desegregation.

Georgia has two laws designed to keep schools segregated.

A 1959 act allows full tax credit for contributions to a private school which has been certified by the state, and a 1961 law which entitles pupils attending private schools to grants from their school districts.

The major factor in the reluctance is loss of revenue from income tax and the questionable legality of the two statutes.

Durham to Integrate Elementary School

Newsand Observer p. 10 Dec 22-61

DURHAM (AP)—The City Board of Education disclosed in a report to Federal Judge Edwin M. Stanley Monday that an elementary school will be intergrated this fall for the first time in Durham.

The report also showed that five other Negroes were reassigned to the already intergrated Durham High School under the court ordered review of 133 Negro reassignment requests.

The report was filed with Judge Stanley's office in Greensboro in accordance with a directive handed down by the judge.

The first Negro child assigned to an elementary school here is Alex Ele Bullock. He previously attended the all Negro East End School.

The five reassigned to Durham High School are: Gloria Jean Morris, Harriet Lou Prince, Marva Maxine Bullock, Brenda Joyce Gunn and Anita Louise Brame.

Previous Assignment

The Brame girl previously had been reassigned to the high school.

Approximately 10 Negroes who attended integrated schools here last year on the high school and junior high school level are scheduled to return to their classes next week.

In its report, the school board said it has stopped using two maps of attendance areas, one for whites and other for Negroes, in assigning pupils to schools.

The report said the school board also has set up eight standards for use in assigning pupils or acting on reassignment requests. They are:

"1. The relation of residence location of the pupils to the school to which the pupils will be assigned or seeks reassignment to another school.

"2. The proper and most effective utilization of the physical facilities available and the teacher load in the school as well as the total enrollment in the school.

"3. Academic preparedness and past achievement.

"4. Factors involving the health and well being of the pupil.

"5. Physically handicapped pupils.

"6. Bona fide residence in the administrative school unit.

"7. Morals, conduct, deportment and attendance record of pupil seeking assignment or reassignment.

"8. Efficient administration of the schools so as to provide for the effective instruction health, safety and general welfare of the pupil."

14d(1) 1961

NORTH CAROLINA

School Mixing Accelerated by Federal Ruling

GREENSBORO, N. C.—(ANP) A federal judge ruled last week that a Negro student is entitled to attend Chapel Hill junior high school and that five other Negro students can take steps that could lead to the integration of Caswell county schools.

The rulings were made in cases brought against the Chapel Hill City Board of Education and the Caswell County Board of Education.

Judge Edwin M. Stanley of U. S. Middle District Court held in the Chapel Hill case that Stanley B. Vickers of Carrboro was denied transfer to the all-white junior high school for the last school term because of his race and color.

It was the first such direct ruling in the desegregation cases that were filed in the district court after the Supreme Court's 1954 decision forbidding public school discrimination by race.

In the Caswell county case, Judge Stanley held that administrative remedies were not exhausted on behalf of three Negro students, and that one named in the case has since graduated.

Students who did not exhaust administrative remedies and who are not entitled to injunctive relief, according to the findings, are Charlie Jeffers, Alexander Jeffers and Sylveen Jeffers.

The student who graduated is Samuel Malloy Mitchell.

Judge Stanley held that the five remaining students in the suit "technically" exhausted administrative remedies and are entitled to take further steps for reassignment if they so desire.



Children of the Thaddeus Stevens School, 13th and Spring Garden sts., participated in a fire drill in conjunction with Fire Prevention Week currently in progress. Overseeing the drill are (from left) Leonard Schufreider, fire prevention officer; Lt. James J. McKernan, officer in charge, and Charles W. Brown.

MORE TO FOLLOW

NAACP Files Suit To Mix In Philly

PHILADELPHIA (UPI) — The NAACP is seeking a desegregation plan from the board of education to eliminate alleged discrimination against Negro pupils and teachers in Philadelphia schools.

The NAACP's local chapter filed suit in U.S. District court today accusing the board and five of its officials of practicing racial discrimination in the assignment of teachers, transfer of pupils and establishment of school boundaries.

The action was taken on behalf of the parents of eight Negro pupils. It claimed the board deprived Negro pupils and teachers of their rights under the 14th Amendment of the Constitution.

A. Leon Higginbotham Jr., NAACP chapter president, said the suit may herald similar action throughout the North.

The NAACP said the suit was filed after the board allegedly adopted a plan to add six portable classrooms to the Emlen school, described as overcrowded and having a Negro enrollment of 96 per cent.

It claimed that white pupils living in the area were transported by bus to less crowded schools.

The NAACP said the "discriminatory practices have continued" despite the protests of the parents of three eight Negro pupils.

The suit also asked the court to enjoin the defendants from "enforcing policies for the assignment of teachers which result in racial discriminatory patterns."

Higginbotham said that elementary schools have 1,570 Negro teachers — about one third of the total number — but "only 16 out of 182 principals are Negroes."

Last November, the board said in a report on integration that there was no evidence of discrimination against Negro pupils. It acknowledged that "de facto" segregation exist in the schools but said this was due to living patterns and not board policy.

'COLOR CASTE' PLAN IN SCHOOLS ASSAILED

Special to The New York Times.

PHILADELPHIA, March 28 — School officials were urged today to end the "color caste system" in the public schools of this country.

The plea was made by Calvin E. Gross, Superintendent of Schools of Pittsburgh, at a meeting of the regional convention of the American Association of School Administrators.

He said the idea that the best educated Negro should be considered subordinate to the lowest white person is perfectly monstrous."

"It puts the whole country to shame," he told the convention, which attracted some 10,000 delegates from sixteen Eastern states.

"This is something educators must face up to in every part of the nation," Mr. Gross continued.

He noted that he was not pointing a finger at our colleagues in the South, because "we all share the same problem."

"Even our friends in cloistered suburbia," he said, "will have to be deciding pretty soon what they expected to do about the phenomenon of caste."

14d(1) 1961 SEPT.

SOUTH CAROLINA CHARLESTON - S U I T

U. S. Court Suit Threatened By Negroes In School Case

News & Courier 8-B
Files 9-5-61

A suit seeking "relief" will be filed in federal court before the end of September, a local NAACP official said yesterday, unless the Charleston County Board of Education reverses an earlier decision by School District 20 denying five Negroes admission to white schools for the current academic year.

Charleston S.C.

J. Arthur Brown, president of the South Carolina Conference of the National Association for the Advancement of Colored People, said, "nothing could postpone our going to court if relief isn't given shortly".

Last May, the parents of five Negro school children filed requests for transfers to city white schools for the 1961-62 school year.

In July, members of the board of School District 20 met to review the various requests and rendered a decision denying the Negroes transfers.

Charles A. Brown, chairman of the board of School District 20, said the requests were reviewed on an individual basis and that the decision not to accept the transfers was rendered solely for the welfare of the children and the school district.

A petition requesting a reversal of School Board 20's decision was filed with the County Board of Education August 10, and receipt of that petition was acknowledged by the county board two days later, Brown said.

Brown said he expected to hear from county board officials early this week in connection with the appeal.

"If the county board should uphold School District 20's decision, we will go to Federal court asking relief in keeping with the Supreme Court's decision of May 17, 1954," Brown said.

Dr. G. Creighton Frampton, superintendent of county schools, was unavailable for comment late last night.

Bills Propose Changes For S. C. Schools

The News & Courier
Charleston, S. C.
Wed 1-11-61

COLUMBIA (AP)—Changes affecting the administrative and financial structures of South Carolina's school system were proposed Tuesday at the outset of the 1961 General Assembly session.

Two Senate bills relating to the controversial "kickback" system would double from $10 to $20 the amount of state money now turned over to the counties on a per pupil basis.

A set of companion resolutions introduced in the Senate are aimed at removing the job of state superintendent of education from the list of elective offices, and changing the system for naming members of the State Board of Education.

The lawmakers also dropped in bills to reapportion the State House of Representatives, curb the U.S. Supreme Court's powers, and to change the current all-or-nothing distribution of the state's eight presidential elector votes.

Sen. Rembert Dennis of Berkeley was chief sponsor of the bill to double the school money returned to counties. He was joined by Sens. Marion Gressette of Cal-

Assembly Review
. . . See Page 5-A

Ed Baskin of Lee County and William Goldberg of Marl-

The state now gives $5 per pupil to the counties for school operation and maintenance. Another $5 is sent to the counties for school supervision and overhead. Each would be upped to $10 under the bill.

The traditional "kickback" has develops when a surplus accumulates in the state treasury and county senators launch a drive to use it to increase money to the counties for school purposes.

By doubling the fixed distribution, Dennis said, "we would take away a lot of the annual demand for a kickback."

Companion resolutions affecting the administrative setup of the school system were proposed by Sen. Bradley Morrah of Greenville.

One asks the General Assembly to call a statewide referendum so voters can ballot on a constitutional amendment to remove the state superintendent of education's job from the list of elective offices.

Another constitutional amendment would take away the governor's authority to appoint members of the State Board of Education.

The resolutions do not mention who would name the state superintendent, nor who would appoint the State Board of Education. The Legislature presumably would settle those two questions at its leisure if the constitutional changes were approved.

Morrah also introduced legislation for a referendum in the 1962 election to change constitutional residence requirements for voting. His idea is to cut them in half—from two years to one year in the state; from one year to six months in the county; and from six months to three months in the precinct.

Rep. John Hart of Union proposed a bill to apportion the state's eight presidential electors between the competing parties on the basis of the popular vote ratio. Thus if the popular vote came out on a 5 to 3 ratio, the winner would get five electors, the loser would get three.

Sen. Walter Bristow of Richland put in a bill to make the misdemeanor punishment apply to a person, whether known or not to the woman or child, who delivers obscene or suggestive remarks to a woman or child. The present law applies the penalty only if the caller is anonymous.

A packet of bills dealing with technical changes in the state code were introduced by Sens. James B. Morrison of Georgetown and Morrah, members of a committee which has been studying code revisions.

A lengthy bill tightening the law regarding the sale and registration of securities was sponsored by Sens. Walter Bristow of Richland and Henry Richardson of Sumter.

Bristow was author of a measure to provide special automobile license plates to members of the South Carolina National Guard.

Reorganization of the new, 94th General Assembly found all principal officers re-elected, including House Speaker Sol Blatt of Barnwell for his 10th term; Senate President pro tempore Edgar A. Brown of Barnwell; House Speaker pro tem Rex Carter of Greenville; and clerks L. O. Thomas of the Senate and Miss Inez Watson of the House.

John B. Butler Jr., 34, Columbia attorney, was named reading clerk of the Senate to succeed Lane Bonner, resigned.

Gov. Hollings will deliver his annual address on the state of the state to a joint assembly at noon Wednesday.

Blatt is expected to appoint House committees Wednesday.

'Turks' Sue To Enroll White S. C. Schools

The Defender
Chicago, Ill.
Feb 25 1961

RICHMOND, Va. — (UPI) — Lawyers for 49 young "Turks" from South Carolina were to ask the Fourth U. S. Circuit court of appeals Tuesday to reverse a lower court ruling which refused to put the Turks in white schools.

The dark-skinned, black-haired children from South Carolina's Sumter county are educated under an unusual system of partial segregation. They attend a special three-teacher, eight-grade school at Dalzell, S. C., but later are admitted to white high schools. Their own school is listed by the state as a white school.

They have lived to themselves for years, refusing to associate with Negroes but rejected by whites. Most work as farm sharecroppers.

The court will be asked to remand to the U. S. District Court of Eastern South Carolina a suit dismissed last Aug. 10 by District Judge George Bell Timmerman, sr.

49 PUPILS

Parents of the 49 children, members of a group of people referred to locally as "Turks," are seeking admission of their children to white schools on grounds they are Caucasians. The suit does not attack South Carolina's segregated school system as such.

The Turks claim to be decendents of Turkish settlers who fought with Gen. Thomas Sumter in the Revolutionary War and later settled with Sumter near Stateburg in Sumter County.

Some historians contend the Turks and several other groups of "Mestizos" in South Carolina are white-Indian-Negro hybrids.

Others have expressed the belief they are descended from a man named "Benenhaly," who is believed to have served as a scout for Sumter in the Revolutionary War.

Integration Held Unlikely By Governor

The News & Courier
Charleston, S. C.
1-31-61

COLUMBIA (AP) — Gov. Hollings told a news conference Monday, "I don't foresee any school integration in South Carolina at any level."

Replying to questions, the governor said "the state is on sound legal ground now to preserve its traditional system of education" —segregated.

He said he had no additional segregation laws to recommend to the General Assembly now, and has heard of no efforts on the part of Negroes to be admitted to the state-supported colleges.

On other points about which he was questioned, Hollings made these observations:

The textile problem study committee he heads for the Kennedy administration will announce results of its work only after it has a report ready for the White House.

As governor, he has no voice in federal patronage. However, his opinion has been asked about several vacancies. He declined to say which ones. Further, he declared:

Patronage View
. . . See Page 4-B

President Kennedy showed "a real capacity for recognizing problems and seeking solutions in his" State of the Union address.

Kennedy's personal stature in the eyes of South Carolinians has "increased immeasurably" since the election.

He would vote against enlarging the House Rules Committee if he were in Congress.

The State Budget and Control Board is acting as a watchdog on state spending and efficiency and economy in government. For the past year, no state job vacancy has been filled without an examination of the necessity for the job by the board.

The state's closed circuit educational television system has "enormous possibilities for expansion" into other fields, such as public health, law enforcement training, industrial training and so on.

The state urgently needs a new state office building; state agencies constantly are having to rent additional outside space. "The time is right for this—a new state office building would save a great deal in the long run."

Carolina Ends Segregation of Turk Children

The Atlanta Constitution
Atlanta, Ga.
2-16-61

SUMTER, S.C. (AP)—The Sumter County School Board announced Wednesday that segregated Turkish children will be admitted to white schools in the fall of 1961.

The segregation of Turkish children by Sumter County schools in the elementary level occured only in this county.

Dr. Hugh Stoddard, superintendent of School District 17, said the board acted Jan. 31 on requests by Turkish parents for transfers of their children to white schools. He said the board voted to transfer all 66 of the children and notification was sent out quietly Tuesday.

The action apparently ends a court case instigated by the parents in 1957 to have their children admitted to white schools. Ira Kaye, Sumter attorney representing the Turks, said he had not received official notification of the board's action but that the case apparently now is closed. It currently is under appeal.

Pro-Segregation Proposal Made

COLUMBIA, S. C. (AP) — A private school tuition plan to maintain segregation was proposed in the South Carolina general assembly Tuesday.

"We don't want to wait until they're breathing down our necks," Rep. John Hart of Union said of his plan.

He put in a bill to have the state department of education pay any private, non-secretarian school for educating a child whose parents choose not to use public schools.

The measure would become effective as soon as passed.

"We want to beat the integration racket," Hart explained.

The Union county lawmaker's measure specifies the tuition grant would be in an amount equal to the present state share of educating a child—about $200 a year. It would apply to pupils aged 6 to 20 who had not finished high school.

Catholics Form Hate Unit To Buck Mixing

CHARLESTON, S. C. — (UPI) — The newly formed "Organization of Catholic Parents," boosted by support from a similar group in New Orleans, Monday sought ways of preventing integration of South Carolina parochial schools.

The parents scheduled Monday's meeting despite a threat of excommunication from the Most Rev. Paul H. Hallinan, Bishop of Charleston, who issued a pastoral letter Feb. 19 directing Catholics to prepare for integration of parochial schools.

CONTEMPT WARNING

The letter was read in all churches of the Diocese of Charleston — which comprises all of South Carolina— and was similar to letters read the same day from bishops of the Dioceses of Savannah and Atlanta, Ga.

Similar pastoral letters had been issued earlier by bishops in Louisiana and North Carolina.

Bishop Hallinan's letter stated that integration of parochial schools would take place "not later than the public schools are open to all pupils."

He issued a statement Saturday night warning all those taking part in meetings called to oppose the teachings of the church "do so in contempt of the church's authority."

"Those few Catholics who persist in acting against the church's teaching cannot expect that their membership in the church will indefinitely remain unchanged," he warned.

The Charleston Catholics received support from "Save Our Nation, inc.," a New Orleans organization of Catholic parents seeking to preserve segregated parochial schools.

10 Condemnation Suits Filed For New Negro School Site

Lawyers for Charleston School District 20 filed 10 land condemnation suits with the Charleston County Court of Common Pleas recently in an effort to speed up the assumption of title to a site earmarked for the new Negro high school.

T. B. Guerard, a spokesman for the law firm of Sinkler, Gibbs and Simons, said possibly two more suits will be filed in the future.

Early in February, officials for the school district announced the selection of a site bordered by Columbus, Blake, Drake and America Streets for the proposed $900,000 school.

Since that time appraisers have been evaulating various parcels of property within the area. On March 1, bonds totaling $500,000 were issued to provide funds for the initial phases of the building program.

Snags, however, developed in the acquisition of the property. In some cases the owners are unwilling to accept the prices set by the school board-retained appraisers. In other instances, clear titles are unobtainable due to ownership by non-residents.

Mr. Guerard explained that under the condemnation statute, the school board has a right to take title to property by placing a deposit in court for the property. Deposits thus far for property in question total $110,375.

The first hearing on the cases will take place May 15 before Judge Thomas P. Bussey. At this hearing it will be determined whether the cases will be tried before a jury or before a special master. The question of property value will not be considered at this initial hearing.

Mr. Guerard further stated that the school board anticipates taking possession of the property by May 15. "We will be entirely fair about this," Mr. Guerard added.

School Board Dismisses 9 Negro Transfer Petitions

The Charleston County Board of Education yesterday published the results of hearings which dismissed nine separate petitions for the transfer of Negro school children to white schools in City School District 20.

The petitions, filed last October, dismissed in light of the fact that no additional evidence warranting transfers had been brought before a special subcommittee June 1 and June 8.

The requests for transfer were earlier denied by the Board of Trustees of School District 20 because the petitioners had failed to submit their requests in accordance with Rule II of the Rules and Administrative Procedures of School District 20.

The rule requires parents or guardians of school-age children desiring them to attend specific schools, to file applications at least four months in advance of the opening of such schools.

The board's decision read that "no evidence was adduced at the hearing in support of the allegations of the petitioners' petition regarding inadequate, dilatory or unconstitutional policies, customs and usages of School District No. 20 or the laws of the State of South Carolina relative to the operation of its schools, nor was there any evidence indicating that Rule II of the Rules and administrative procedures adopted School District No. 20 Trustees on July 10, 1959 has been applied unreasonably, inequitably or arbitrarily.

"Even if there were no such rule," the decision continued, "any petition for the transfer of a pupil from one school to another filed some weeks after the district's schools have been in operation comes too late to require administrative action.

"At best such a petition would be addressed to the discretion of those responsible for the efficient functioning of the district's school system and no evidence here would suggest any abuse of discretion.

"Accordingly, it is ordered that the petition or appeal of (name of petitioners) hereinabove mentioned be and the same is hereby dismissed," the report concluded.

Yesterday parents or guardians of five Negro children, whose May 1 applications for transfers to white schools were recently denied by School District 20, prepared petitions asking the County Board of Education to reverse the decision.

G. Creighton Frampton, Superintendent of County Schools acknowledged the petitions had been received and that they would be presented to the board at its next meeting.

School 'Too Hot' To Handle Dropped By South Carolina

The Courier 83
Sat. 8-26-61
Pittsburgh, Pa

By JOHN H. McCRAY

BEAUFORT, S. C.—What does a Southern state dedicated to racial segregation do with a school house that gets "too hot to handle?"

South Carolina has made what may be a precedent, and the best answer: "Drop it and run like the devil, if you can.

For several months NAACP and other lawyers have mused over likely outcome of what was a novel case shaping up in Beaufort, one which apparently did not encompass intent and provisions of a state law regulating transfers of students from one school to another.

The law, enacted to deal with possible integration attempts by Negro students on white schools, dealt merely with pupils and students actually enrolled in public schools.

■

THEN, EARLIER this year, several Negro parents of children just old enough to start school next month—all children of military personnel stationed in the Beaufort area—made application for the initial enrollment of their children in a white school, one supported in part and practically in toto (according to the best available information).

When white school officials remained silent and failed to reply to the enrollment requests, these Negro parents repeated them, at the same time keeping NAACP lawyers informed.

This week, there was action by the school board: it simply gave up interest in and control of the school to the Federal Government, stripping itself of the per capita pay the Federal Government sent into the state in the area for the education of children of military personnel and Government employes.

■

AT COLUMBIA, an NAACP lawyer told The Courier that the school board's action rendered the parents' petition "moot" (settled) insofar as the county and state are concerned, and meant that further action would have to be against the Federal Government if parents wished it and, if the tots were not enrolled.

The attorney also disclosed that in Federal Government impacted area (by the military or Federal employes) the state receives from Washington per capita funds (based on the rate in the area) for each child, even though the child is enrolled in a segregated school.

Attorneys, he said, were awaiting further developments.

School Given Back To Feds To Avoid Mix

The Montgomery Advertiser
P-1

BEAUFORT, S.C. (AP) — An elementary school, built and operated with federal funds, has been given back to the federal government in an apparent move to avoid integration of an institution in the South Carolina public school system.

Neither school nor Marine Corps officials would comment on the reason behind the transfer, however.

Cir. 8-25-61

The Hamilton Elementary School adjoining the Beaufort Marine Air Station was built three years ago with federal funds provided to help areas where there are concentrations of dependents of military personnel. Until this year, it had been operated with federal funds by the Beaufort County Board of Education and was attended by about 800 white pupils and no Negroes.

The school is adjacent to Capehart housing units for air station personnel and officers at the air station said they understood several Negro pupils will attend the school this year. It could not be integrated under state laws as long as it was operated by a subdivision of state government—the Beaufort school board.

Big School Drop-Out Seen

By S. L. LATIMER JR.
The Columbia State
Special to The Journal-Constitution

COLUMBIA, S. C., Sept. 9 — Apparently there is a record number of new pupils entered in South Carolina schools this session but if something isn't done to alter the trend, authorities know that only one out of four of these new first-graders will be graduated from high school 12 years hence.

Sun 9-10-61
SOUTH CAROLINA
P-5-B

The big drop-out cannot be blamed entirely on repeal in 1955 of the state compulsory attendance law. It started before this action was taken but unquestionably this step, which was aimed at making it easier to fight segregation, has played a part in the exodus. School authorities formerly had some punitive power in dealing with absentees, but now attendance teachers, where employed, can only plead and argue with parents to keep the children in school.

The Atlanta Constitution

IN JUNE, 1961, the high schools of the state graduated 23,922 students, at first blush a sizeable number, but not a good figure when it is considered that these were but 28 per cent of the 84,022 who entered first grade in 1949.

An examination of the record of the 1949 beginners shows, strange to say, that the greatest drop-out was at the end of the first year, 22,420, a phenomenon school officials are at a loss to explain.

Atlanta, Ga.

Of the 61,602 who entered the second grade a comparative few fell by the wayside in their second and third years, but there was a decided drop between the third and fourth grades with 4,454 not showing up for the fifth grade.

Of 49,448 of the original starters who entered junior high, 33,138 went on to senior high but more than half of these survivors failed to get diplomas.

South Carolina not only did away with its attendance law in laying the groundwork for its anti-integration fight, it also deleted from the state constitution any obligation on the part of the state to maintain a public school system. The latter, however, has had no adverse effect, the schools each year receiving more money than ever before, and the state's multi-million dollar school building program, now over the $200 million mark continuing unabated.

BRIEFLY . . .

For the sixth consecutive year, South Carolina has set a **new high in the training of the handicapped** and placing them in gainful employment. Rehabilitated disabled totaled 2,117 during fiscal 1960-61. . . . Off with his wife on an European trip, former Governor James F. Byrnes feels "firmness will halt the Red bluff" and "there will be no shooting war over Berlin." . . . Former President Harry S. Truman has agreed to act as **historical adviser** to the York County Children's Nature Museum. . . . Congressman Robert H. Ashmore, for whose seat James W. Workman of Union has announced, **expects to offer** for re-election. . . . Major Albert D. Simmons, 41, among the **first to make a trans-Pacific flight in a jet bomber,** is dead at Timmonsville. He had been disabled since his jet fighter crashed in Florida in 1952. . . . Mr. and Mrs. L. Bates Houck of Cameron have **given $100,000 to the Newberry College** Endowment Fund. Mr. Houck is a former Miami, Fla., wholesale druggist, now a South Carolina farmer. . . . W. H. Corder of Cayce is the **new president of the South Carolina Association of Plumbers, Heating and Air Conditioning** contractors.

Pressures For Increased School Desegregation

NASHVILLE, Tenn. — Federal pressures for increased school desegregation came from the courts and the executive department during March, Southern School News reports in its April issue. In Congress, at the same time, the aid to education proposal became embroiled in a controversy over whether federal funds should be available to segregated schools.

The U. S. Justice Department reversed its policy in entering four Louisiana school desegregation cases as a friend of the court. The department previously had intervened only after trouble developed in enforcing court orders.

U. S. District Attorney M. Hepburn Many obtained permission to enter the suits in which St. Helena and East Baton Rouge parishes and six state-supported trade schools have been ordered to desegregate "with all deliberate speed." Attorney General Robert F. Kennedy explained the move would "assist the court in preventing potentially dangerous and critical situations from coming to a head."

The Eighth Circuit Court of Appeals in St. Louis prodded Little Rock's school board to speed up desegregation. The appellate court, reversing every point of the district judge who had commended the school board's conduct, said the board was using the Arkansas pupil assignment laws illegally. The decision came just a few days after the Arkansas capital annouinced it had landed its first major new industry since the school crisis began in 1957.

Expansion of another school desegregation order came from a district court in Georgia. U. S. Judge William A. Bootle, in a sweeping order, opened all "facilities and opportunities," includng the swimming pool and cafeteria, to the two Negroes admitted under his order to the University of Georgia earlier this year.

Escambia County, where segregation sentiment is strong, became Florida's first school district to receive a federal court order requiring a desegregation plan. U. S. District Judge Harold Carswell gave the school officials 90 days to file a timetable. Dade County, the state's only desegregated district, voluntarily began to desegregate its schools in 1959.

Mississippi's state superintendent of education, J. M. Tubb, and the Mississippi Education Association also gave their conditional "no strings" endorsement to the aid aid proposal. Two Mississippi congressmen, John Bell Williams and W. M. Colmer, said they opposed the bill because "there can be no federal aid without federal control."

The South Carolina Education Association also approved a resolution favoring the federal funds But Gov. Hollings opposed the program in his address to the white teachers and warned against falling into a trap of federal aid.

An NAACP official in Rock Hill, S. C., said that next September four Negro girls would seek to enter Winthrop College, a state college for white women. Two Oklahoma ministers publicly protested what they termed racial segregaton practices at Oklahoma Christian College near Oklahoma City. The college board of trustees was scheduled to hear a report March 28 from a committee that has studied the school's policy on the subject.

Georgia, Louisiana 'Ease' School Segregation Stands

Special to The Commercial Appeal

NASHVILLE, March 2—The school segregation-desegregation issue dominated only two of the 12 Southern and border state legislatures in session during February, Southern School News reports in its March issue. And these two—Georgia and Louisiana—passed bills softening their "segregation or no schools" stands.

For the first time since 1957, Arkansas legislators convened with desegregation in only a minor role, although Gov. Orval Faubus proposed two constitutional amendments on the subject.

Correspondents for the monthly ypublication of Southern Education Reporting Service reported that legislatures in Delaware, Maryland, Missouri, Oklahome, West Virginia, Northern Carolina, Tennessee, Texas and South Carolina had little, if any, school-race legislation up for consideration.

Another indication of a changing attitude on the issue in the region appeared in a Gallup poll. Gallup reported that its latest survey in the South found that 76 per cent of the persons questioned "say they believe now that the day will come when white and colored persons will generally share the same public accommodations in the Southern states." The copyrighted report noted that only 45 per cent of the Southerners interviewed in 1957 held this view and 53 per cent in 1958.

Change 'Unpopular'

The same report on the survey said that the change "will very likely be highly unpopular" All Gallup testings of Southern opinion since 1954 consistently have recorded at least 71 per cent in opposition to the Supreme Court uling in the school segregation cases.

The courts continued last month to be a source of important developments on the issue. President Kennedy figured in two legal moves. A suit seeking to block the use of Federal funds for segregated schools named the President and three other Federal officials as defendants. Secretary of Health, Education and Welfare Abraham Ribicoff, one of the defendants, has expressed opposition to denying Federal aid to segregated schools.

Within hours after the President received an appeal for help from the Orleans Parish school board, the United States Department of Justice applied more pressure to end state interference in the New Orleans public schools.

At his Feb. 8 press conference, President Kennedy stated that he "will attempt to use the moral authority or position of influence of the presidency in New Orleans and in other places."

The scope of the Supreme Court's 1954 ruling broadened in Maryland to cover juvenile correctional institutions. The state's highest court ruled that the Maryland reform school for boys was part of the public education system and subject to the Supreme Court's decision. The Court of Appeals held that the Federal court's ruling applied to all forms of public education, "without regard to type of school."

Two Other Suits

Two Federal Court suits became moot in February when school officials voluntarily agreed to the plaintiffs' petitions. Two Negro high school students in Fairfax County had filed suit Feb. 16, challenging a ban against their participation in interscholastic sports. The county school board rescinded its three-months-old ban on Feb. 21.

The other moot case involved about 66 "Turk" children who claimed to be of Mediterranean extraction and requested admission to the white elementary schools of Sumter County, S. C. The long-standing suit was revived last year after lying dormant in the Federal courts for several years. The school board, which has admitted "Turks" to the white high school for several years. The school board, which has admitted "Turks" to the white high school for several years, agreed also to let them attend the elementary school.

Ten Negroes requested registration forms after the private University of Miami announced it would admit students without regard to race. The only other major private colleges in the South to have announced such a policy are both in Tennessee—University of the South at Sewanee and Vanderbilt at Nashville.

The Georgia Legislature's concern with the school issue had continued over from the 1960 session when the controversy then involved a Federal court's order for Atlanta public schools to desegregate. The desegregation of the University of Georgia in January gave the problem added importance.

Old Laws Repealed

One of the four school bills approved by the Legislature and signed by Gov. Ernest Vandiver in February repealed all the old school segregation laws, including one that would have closed any school desegregating. The Legislature passed new laws to keep the public schools open and at the same time resist desegregation.

The Governor called the bills the "most important . . . to be signed in this century" in Georgia. In addition to repealing the old segregation laws, the new acts provide tuition grants for students to attend private schools, allow local option in closing and reopening public schools during desegregation crises, revise appeal procedures on the pupil placement plan, and provide, subject to a constitutional amendment referendum, freedom from "compulsory association at all levels of public education."

The Louisiana Legislature, holding its fifth consecutive special session on the New Orleans school desegregation, quickly passed seven new segregation measures. The first act—a variation of local option—would permit school boards to close and sell public schools when local voters approve, but it made no provision where local voters might favor retaining public schools even if desegregated.

Gov. Jimcie H. Davis's administration leaders said the local option act implied no acceptance of token desegregation. But well-informed legislative sources said privately they saw a softening of the segregation leaders' long stand against any desegregation.

Two bills adopted by the Louisiana lawmakers would reward informers who provide information leading to the conviction of persons paying parents to send their children to biracial schools. An administration leader said he had information of such payments but he did not explain further.

20 communities—
Widespread desegregation in South's schools reported

NASHVILLE, Tenn., May 2 (AP)—The Southern School News reports about 20 communities in the South are preparing for initial or expanded school desegregation in the Fall.

The publication of the Southern Education Reporting Service, a Ford Foundation-subsidized agency, lists in its May issue these major developments:

In Virginia, Arlington and Fairfax Counties and the city of Falls Church have taken steps which may double the 200 Negroes enrolled in biracial schools in that state.

Mayor William B. Hartsfield of Atlanta, Ga., has warned that police will not tolerate violence when the 11th and 12th grades of the city's schools are desegregated under court order in september.

IN ADDITION to the scheduled start of court-ordered desegregation in Dallas, two other Texas school districts—Lockney and Judson—have voted to commence desegregation.

Escambia (Pensacola) County, Fla., has agreed to proceed with court-ordered desegregation without appeal, while already desegregated Dade County, Fla., has altered a school district line—a move which places 200 Negro families in the area of a white school.

KNOX COUNTY, KY., is faced with a court order for complete desegregation, including elementary classes, after proposing to desegregate its high school in September.

The Greater Little Rock (Ark.) Ministerial Assn. has requested the school board and other community leaders to prepare the community for further desegregation.

And, The News said, Frederick County, Md., plans to close its sixth Negro school in June in a five-year-old program to abolish the dual school system in deliberate stages.

School Mixing To Be Spread

Twenty Southern Systems To Start Desegration Next Fall

Special to The Commercial Appeal

NASHVILLE, May 1. — About 20 Southern communities are preparing for initial or expanded desegregation next fall, Southern School News reports in its May issue.

Developments in Virginia during April indicated that the state next fall may nearly double the 200 Negroes now attending biracial schools. Much of the increase is expected in Northern Virginia, where Arlington and Fairfax Counties and the city of Falls Church voted to handle their own pupil assignments, replacing the State Pupil Placement Board.

Way Is Paved

Falls Church paved the way for its first desegregation by approving three Negro requests for assignment to previously all-white schools. Fairfax approved 76 applications and Arlington 104. Pulaski County this fall will admit six Negroes to a formerly all-white high school.

In preparation for the first public school desegregation in Georgia, Atlanta School Supt. John Letson appeared before separate meetings of Negro and white students to explain the plans for next September. The city has agreed to comply with a Federal court order to desegregate the 12th and 11th grades as a start on a descending grade-a-year plan.

HOPE, Inc., a statewide organization formed to support open schools, announced it would continue operation to support peaceful desegregation. Atlanta Mayor William B. Hartsfield warned that city police would not tolerate any violence when the Negroes enter the schools with whites.

In Texas, a court order for desegregation in Dallas this September became final when the district school board waived its right of appeal to the United States Supreme Court. Negroes will be admitted to the white schools under a grade-a-year plan.

Two other Texas school districts, Lockney and Judson, voted to desegregate. Lockney, a Floyd County farming community in Northwest Texas, will admit about half of its 60 Negro students to grades 7 through 12. Judson Rural School District in Northeast Bexar County (San Antonio) also has very few Negroes.

Changes In Florida

One Florida district agreed to proceed with a court-ordered desegregation plan for September, and another district provided for a large increase in biracial classes next fall by changing a boundary line.

Escambria County (Pensacola) school officials decided not to appeal or attempt to delay the court action. Details will be worked out by the board and submitted to the Federal court for approval. It would be the state's first desegregation by court order.

Dade County, which desegregated voluntarily in 1959, altered a school district line and placed 200 Negro families in the area of a white school. Parents in the racially changing neighborhood have been notified that their children can apply for a transfer.

The school board in Knox County, Ky., had proposed to desegregate its high school next September, but a United States District Court order called for complete desegregation, which would include the district's elementary school.

Completion of a new elementary school in Carrollton, in North Kentucky, will permit the city's public schools to desegregate in September. About 25 Negroes will be involved.

Knoxville would allow Negro high school students to attend vocational and technical training classes in white schools next fall under a supplemental plan filed in United States District Court. The city began a grade-a-year plan last year with the first grade.

The Orleans Parish school board, with one of its two desegregated schools completely boycotted by whites, announced plans for first grade assignments next year. Four Negroes entered the first grade last November on a Federal court's grade-a-year plan but the boycott has left three attending the same school with whites.

Pastors Offer Support

The Greater Little Rock Ministerial Association has requested the school board and other community leaders there to prepare the community for further desegregation. The board, which last month received a Federal court of appeals order for a speedup of desegregation, said it welcomed the association's offer of support in complying with the order.

Frederick County, Md., will close its sixth Negro school in June, in continuation of a program begun in 1956 to abolish in deliberate stages the dual school system. The county will have only two segregated schools next fall.

NAACP Loses Memphis Move For Integration

Immediate School Action Is Rejected By Judge—Negroes To Appeal

By LOUIS SILVER

Federal District Judge Marion S. Boyd yesterday turned down a plea for immediate desegregation of Memphis public schools in an order saying the 1957 Tennessee Pupil Assignment Act provides for integration.

The Memphis Board of Education was highly praised by the judge. The board "openly announced many months ago its desire to integrate Memphis schools through compliance with the Pupil Placement Law and . . . makes its position in this court proceeding crystal clear," he said.

Negroes Fill Courtroom

"The Memphis Board, the court feels, is under a clear duty to . . . bring about an end of racial segregation . . . (it) has already done that as a matter of fact when . . . (it) set up operations under the Pupil Placement Law plan."

"We'll appeal" to the Sixth Circuit Court of Appeals in Cincinnati, Mrs. Constance Baker Motley of New York, a leading attorney for the National Association for the Advancement of Colored People, told a reporter after the judge read his 37-minute opinion. The courtroom was packed with about 100 spectators, practically all Negroes.

Rupert J. Groh, attorney for the Justice Department's Civil Rights Division, who entered the courtroom while Judge Boyd was giving his ruling, announced the Government will file a motion with the Cincinnati court urging that the Negroes' appeal be expedited.

52 Witnesses Called

Mrs. Motley and fellow NAACP lawyers called 52 witnesses in three days, 28 of them yesterday, seeking to support the Negroes' contention that the school system has compulsory segregation. The suit, filed in behalf of 18 Negro children, also contended the School Board has made no effort to desegregate under the state placement law.

Recalled yesterday as a defense witness, E. C. Stimbert, city schools superintendent, said the School Board uses all 22 "factors" listed in the Pupil Assignment Act as criteria for judging requests for transfer of a child from one school to another.

"You might apply only one (factor—such as availability of schoolroom space) to a given child at a given time," he said.

In his closing argument, Larry Creson, School Board attorney, said, "We submit that there's not one iota of credible evidence that the Board of Education is operating a compulsory segregated system or one iota of evidence of bad faith in operating under the Pupil Assignment Law."

Discrimination Denied

The attorney said the law is being applied and enforced "without regard to race or color."

Mrs. Motley emphasized that the Negroes "are not attacking the constitutionality of the Tennessee Public Assignment Law . . . We are seeking an injunction enjoining the operation of the system on a racially segregated basis . . . or come forth with a plan."

In answer to a question from Judge Boyd, she said the Negroes would not accept a grade-a-year plan.

The judge supported the School Board's argument that Negroes had not exhausted all remedies under the state law—that is, the right to appeal transfer rulings to the Board of Education.

Judge Boyd said the state law provides for the type of desegregation called for by the 1954 United States Supreme Court ruling.

Jack Petree and William Fitzhugh assisted Mr. Creson in representing the School Board. Other NAACP attorneys are Russell B. Sugarmon Jr., A. W. Willis Jr., H. T. Lockard, Rev. Ben L. Hooks and B. F. Jones.

Negro Schools Pick Teachers

Awards To Be Given Tonight At Awards Program Of 'Career Month'

Memphis Negro schools have chosen their best teachers to receive honors tonight in the Bluff City Education Association's first annual "Teaching Career Month" awards program.

Forty-one teachers will step forward when their names are called during the program at 8 p.m. in the Hamilton High School auditorium to receive certificates.

Principal To Speak

Main speaker on the program will be Louis B. Hobson, principal of Manassas High School.

Mrs. Inez Morris is general chairman. Mrs. Willa Walker is president of the sponsoring organization.

Those to be honored were selected by other teachers in their schools. They include:

Mrs. Thelda Atwater of Caldwell, Miss Faye Gentry of Carnes, Mrs. Bertha Forte of Carpenter, Mrs. Dorothy Evans of Carver, Mrs. Helen Miller of Chicago Park, Mrs. Isabelle Scott of Corry, Mrs. Victoria Hancock of Cummings, Miss Hazel Pyles of Douglass Elementary, Nelson Jackson of Douglass High, Mrs. Margaret Boone of Dunbar.

Other Honorees

Mrs. Celia Coleman of Dunn, Mrs. Rubye Spight of Florida, Mrs. Omega Shelto of Georgia Avenue, Mrs. Alma Starks of Grant, Mrs. Bernice Long of Hamilton Elementary, Rochester Neely of Hamilton High, Mrs. Ellen Stiles of Hanley.

Mrs. Naomi Creswell of Hyde Park, Miss Verna Meekins of Kansas, Miss Marilyn Watkins of Keel, Mrs. Willie Tennyson of Klondike, Mrs. Vashti M. Harvey of Kortrecht, Mrs. Aubrie Turner of LaRose, Mrs. Mildred Hodges of Leath, Mrs. Dorothy Phamphlet of Lester Elementary, John Wesley of Lester High.

Percy Norrise of Lincoln, Mrs. Iola Vaught of Alono Locke, Benjamin Kelly of Magnolia, Mrs. Lillian Briggs of Manassas Elementary, Walter Guy Jr., of Manassas High, Mrs. Lucille Armfield of Melrose Elementary, Mrs. Mary Collier of Melrose High, Mrs. Willie M. Broome of T. W. Patterson, Miss Isabelle Greenlee of Porter, Mrs. Elnora Fant of Presidents Island, Mrs. Dimple Levison of Riverview, Mrs. Annie Naylor of Shannon, Miss Phyllis Brooks of Waler, Nathaniel Williams of Booker T. Washington and Mrs. Opal Jackson of Wisconsin.

Negroes Plan Appeal Of Memphis Setback

MEMPHIS, April 15 (AP).—Negro lawyers today mapped a quick appeal of a Federal District Court decision against their suit seeking immediate desegregation of Memphis public schools.

Judge M. S. Boyd issued his ruling from the bench yesterday after final arguments in the three-day hearing. He said te 1957 State pupil assignment law already provides for integration in schools.

He agreed with the defense that, legally speaking, segregation in the school system must be considered voluntary because no Negro pupils had applied to the Board of Education for reassignment to white schools.

Race Not Mentioned

The assignment law sets up 22 factors for assigning pupils to schools. Race is not mentioned. Negro leaders say the law is a legal cover for segregation.

The suit, backed by the National Association for the Advancement of Colored People, asked that the Board of Education's "policy of compulsory segregation" be enjoined. The law itself was not the issue.

The State law permits a parent "to take a case all the way to the state supreme court," said Judge Boyd. "A colored child has but to apply. . . ."

Negroes Dropped Effort

The defense agreed that Negro students had applied for reassignment, and argued that they had not gone through the entire chain of command but dropped their effort before reaching the board level.

A board lawyer said there was "not one iota of credible evidence that the board is operating a compulsory segregated system or one iota of evidence of bad faith in operating under the pupil assignment law."

However, during the trial the Negro lawyers brought out that Negro students receive special handling under the law, compared to whites.

For 'Higher Standards'

Father Transfers White Girl to a Negro School

SEVIERVILLE, Tenn. (ANP)—The father of a six-year-old white girl said he has transferred his daughter to a Negro school because it is closer to home and she was not learning quickly enough in a white school.

● "I don't want to stir up any trouble," said Bruce Moore, employe of an iron works in nearby Knoxville, but added he felt Monisha Moore could learn better if she want to school with children in her community.

Moore said Monisha had been attending a white school in the Strawberry Plains community but when it closed she was transferred to another white school about five miles away. He said his daughter had to ride a bus for an hour and then walk a half-mile to get to the school.

MOORE SAID also he didn't feel the educational standards of the school were equal to those of the Strawberry Plains Negro school. He said he transferred Monisha to the one-room Negro school, Cynthianna, last month.

Miss Earline Evans, Cynthianna's only teacher, said Monisha's work was below that of first-grade work when she entered. But she said, Monisha, a second-grader, is doing better now.

Most Sevier County school officials were reluctant to talk about the transfer. A school board member, Sidney Gilreath, said the community's white residents were upset about Monisha's attendance at Cynthiana.

Transfer Daughter To 'Negro School' Because Not Learning Fast Enough

SEVIERVILLE, Tenn. — (ANP) — The father of a six-year-old white girl said he has transferred his daughter to a Negro school because it is closer to home and she was not learning quickly enough in a white school.

"I don't want to stir up any trouble," said Bruce Moore, employe of an iron works in nearby Knoxville, but added he felt Monisha Moore could learn better if she went to school with children in her community.

Moore said Monisha has been attending a white school in the Strawberry Plains community but when it closed she was transferred to another white school about five miles away. He said his daughter had to ride a bus for an hour and then walk a half-mile to get to the school.

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Miss Earline Evans, Cynthianna's only teacher, said Monisha's work was below that of first-grade work when she entered. But she said, Monisha, a second-grader, is doing better now.

Most Sevier County school officials were reluctant to talk about the transfer. One school board member, Sidney Gilreath, said the community's white residents were upset about Monisha's attendance at Cynthianna.

"All the white people of the community are very, very upset. We are not for integration in this county, and it won't happen until a court orders it," Gilreath said.

He indicated, though, the board would probably not take any action. He said the board members felt it would be best to "let the thing work out itself."

TEACHER PAY BREWS STORM

More Students, Lower Salaries Loom as 1962 Vote Issues

By JOE HATCHER
Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

NASHVILLE, Tenn., Sept. 2—More and more students, less and less pay for its 28,000 teachers were major issues in the state school openings generally the past week.

laries, generally, of at least 70 for the school year. School ening served to emphasize the tisfaction among the teach- over the reduced pay, and to ild up the issue for the 1962 ernatorial and legislative es.

The loss in pay scale resulted om what had been a "bonus" teachers in the overage of es and tobacco taxes above estimated collections estab- ed in the budget.

In 1960-61 the overage pro- ded the teachers with some 74 each as a "bonus." The udget experts hiked the esti- ates and earmarked the tax evenues up to the hilt for 61-62. The result was the verage provided the teacherrs nly $4 for the past school year. Actually, however, a goodly hare of the overage had gone nto the $100-per-annum raise iven all teachers by the legis- ature.

ALTHOUGH they're getting the $100 raise, they're losing the $74 "bonus," except for the matter of $4, and thereby lose an over-all $170.

Only 23 of the 154 school sys- tems in the state provided sup- plementary local funds to make up the difference in the teach- ers' salaries, and some of them closed only part of the gap.

The upgrading of teachers for the additional year's experience will give a percentage of the ...ing teachers an additional $50 ...nths.

...t it all adds up to the straw ...the wind for a highly organ- ized fight next summer in electing a governor and legislature favorable to a substantial increase in the basic salaries for the teachers.

Schools, especially in the urban areas, were bursting from their seams with increased enrollments.

BRIEFLY . . .

League of Women Voters chapters over the state celebrated the 41st anniversary of Tennessee's action in bringing

TENNESSEE

the 19th Amendment on Woman Suffrage into being. . . . State prison officials restored a few selected privileges to convicts in the central prison this week after the second of the hostage-holding outbreaks that swept away all privileges. . . . Tennessee and Kentucky took major steps during the week toward establishing a new national park or recreational area in the areas between the Tennessee and Cumberland rivers as they approach the Ohio. TVA acquired much of the acreage in its dam building on the Tennessee, which is to be connected by a canal between the two big lakes to open new shipping lanes between Nashville and the Tennessee valley.

Negro Bid Unsuccessful

CHATTANOOGA (AP)—A group of Negro parents, who said they were upset by crowded conditions at a Negro elementary school, tried Wednesday without success to enroll 11 Negro youngsters at a white school.

It was the first such attempt at school integration by Chattanooga Negroes since they filed a suit in federal court in February, 1960, to try to force immediate, total desegregation in the city school system.

That suit is now pending on appeal by both sides before the U.S. 6th Circuit Court of Appeals in Cincinnati, which is scheduled to hear arguments in the case Oct. 23.

Miss Reba Parker, principal of the Glenwood Elementary School near Missionary Ridge, refused to accept the Negroes' applications for enrollment Wednesday. The youngsters were accompanied by 13 Negro adults, including James Mapp, president of the Chattanooga chapter of the NAACP.

School Ordered To Integrate In Tennessee

NASHVILLE, Tenn. (AP)—District federal Judge William E. Miller Monday directed the Wilson County Board of Education to admit three Negro children to all-white McClain Elementary School in Lebanon and to prepare a plan for desegregation of other schools in the county.

William Baird, former Lebanon mayor and speaker of the Tennessee Senate for the past two sessions, appeared as attorney for the board. "There will be violence if the Lebanon High School is integrated at this time," Baird told the court. "We are a rural people and things will happen that none of us want or like to happen."

Negroes Fail In Chattanooga Integration Bid

CHATTANOOGA (AP) — Thirteen Negro adults, headed by the president of the Chattanooga chapter of the National Association for the Advancement of Colored People, tried unsuccessfully Wednesday to register 11 Negro youngsters at the all-white Glenwood Elementary School.

Miss Reba Parker, principal of the school near Missionary Ridge, refused to accept the applications. She said the school now has 208 white students.

"We have not integrated in Chattanooga," Miss Parker said, "and until the school board decides on such a policy, I would naturally have to follow the instructions of the school board and refuse them."

CHATTANOOGA CHIT CHAT

11 pupils refused in integration try

By Peter D. Simmons

CHATTANOOGA, Tenn: — Integration problems were dropped right back into the lap of the Chattanooga School Board this week, despite all of its appeals and other means of circumventing the Federal Court ruling to integrate the city system.

A group of parents protesting new board zoning regulations concerning Orchardknob Elementary School, after an unsuccessful attempt to enroll 11 pupils at Glenwood Elementary School.

According to Supt. Bennie Carmichael, 13 parents appeared at the Glenwood School about 8:30 a.m., and remained until about 9:45 a.m. He said the group of parents approached the office of Glenwood, principal, Miss Reba Parker, and requested the enrollment of the 11 pupils.

Miss Parker said she had no authority to enroll the pupils. The group then waited in the auditorium for a while, then left (without being asked) when police arrived. Dr. Carmichael invited the group to meet with him after learning that they were at Glenwood.

MEMPHIS IS CALM AS 13 INTEGRATE

4 Schools Desegregated—Preparations Kept Quiet

MEMPHIS, Tenn., Oct. 3 (AP) —A century of segregation ended in Memphis today when thirteen Negro first graders were admitted to white schools.

Police Commissioner Claude Armour said there were no incidents. Fifty patrolmen, carrying clubs, patrolled the area around each of the four schools involved.

Desegregation was voluntary, although indirect pressure for the move has been exerted by a Federal suit now pending on appeal.

The school board prepared for desegregation in near secrecy. For many residents it came as a surprise. They got their first word of it this morning when a news blackout was lifted.

Attendance at the schools was reported nearly normal, but a few white mothers took their children out of classes.

Mother Is Irate

"We will either transfer him or move plumb out of the city," said Mrs. Herman McGregor after removing her 9-year-old son from his fourth-grade class. "We may go back to Mississippi, where they don't let them go to school with whites."

"Yeah," said her son, Jerry. "I'd rather be dumb than go to school with them."

Inside the schools, officials reported, all was quiet. Teachers had prepared their classes for the new pupils. The newcomers moved through the school day without restriction. They played during recess and ate in the cafeterias.

The thirteen Negroes, eight girls and five boys, were carefully chosen from among forty-two who appealed to the city Board of Education after their applications to enter white schools were rejected last month.

Hearings Held in Private

Private hearings were held. Social workers visited the Negro homes to determine family background. Each of the children underment an intelligence or readiness test.

William D. Galbreath, board president, said no transfers to other schools would be granted to pupils dissatisfied with desegregated schools.

Memphis was the second Deep South city to permit token integration of its schools within a month. Atlanta also opened some schools to Negroes without incident.

The four schools involved here have a combined enrollment of 1,579. Four Negro pupils were admitted to Gordon School, four to Rozelle, three to Bruce and two to Springdale. The schools are in white neighborhoods that have Negroes living on the fringes.

'Outsiders' Warned

Commissioner Armour warned "outsiders" not to meddle. Memphis lies near Arkansas and Mississippi.

"If any outsiders anticipate coming to Memphis they will be dealt with vigorously," Mr. Armour said. "We are not going to have a Little Rock, New Orleans or Montgomery in Memphis."

The commissioner assigned 200 officers to work twelve-hour shifts as school guards indefinitely. Special guards will patrol the grounds at night as a precaution against dynamiters.

The school board said it approached desegregation secretly because any publicity might have led to violence.

Several other Tennessee cities started public school desegregation some years ago. In some cases it was peaceful, but there were riots and school dynamitings at Nashville and Clinton.



Associated Press Wirephoto

INTEGRATION IN MEMPHIS: Three Negro children enter the previously all-white Bruce School. They are, from left, Harry Williams, Michael Willis and Dwania Kyles. Bruce was one of four schools that were desegrated yesterday in the Tennessee city.

14d(1) 1961 TENNESSEE OCTOBER MEMPHIS

All Quiet In Memphis Schools And Memphis, Too

Montgomery Advertiser

MEMPHIS (AP) — Negroes and whites studied together in four schools Wednesday and officials reported everything nearly normal—including attendence.

"We'll settle down to complete normalcy by Monday or Tuesday," predicted W. D. Galbreath, president of the city school board. "There hasn't been an incident."

Strong police precautions will remain until officials are convinced there is no possibility of violent protests by segregationists.

Thurs 10-5-61

Thirteen Negro first graders were admitted to the white schools. The move was voluntary, although due in part to indirect pressure from a federal court integration suit now pending on appeal.

Montgomery Ala

A rumored "Mothers' March" similar to demonstrations at Little Rock failed to materialize. There was no sign of an organized boycott of the four schools.

There were 106 pupils absent out of about 1,600 enrolled in the four schools. E. C. Stimbert, superintendent of schols, called this about normal.

The special police guard was costing the city an estimated $5,000 a day in overtime pay. About 40 patrolmen, swinging conspicious billy clubs, roamed each school area.

In addition, special night guards were set up to prevent any of the "dynamite protests" that blasted schools at Nashville and Clinton, Tenn., during desegregation turnoil in those cities.

The extra police work forced the 600-man department into 12-hour shifts for the duration, with all days off cancelled.

Atlanta and Dallas also admitted Negroes to schools this fall. There were no incidents.

A few mothers pulled their children out of classes Tuesday, soon after hearing that Negroes had been admitted to the Memphis schools, but several of these children were back Wednesday.

Schools under heavy guard

Birmingham News

Pd Tues 10-3-61

MEMPHIS, Tenn., Oct. 3—(AP)—Four white Memphis schools planned to admit 13 Negro first graders today—the climax of cautious preparations cloaked in near secrecy.

Birmingham, Ala.

It was the first crack in a century of rigid segregation in Memphis public schools. It came under the indirect pessure of a federal court lawsuit.

AN EXTRAORDINARY guard of policemen was ordered to watch every one within blocks of the schools and stamp out any sign of an incident.

It all came as a distinct breakfast surprise to many residents. A news blackout was maintained until this morning.

Earlier mention of the impending event by Memphis newspapers was casual for such a fiery issue, with no date specified—at the urgent pleading of the school board.

The board argued that any publicity was likely to have diehard segregationist forces trumpeting the alarm, with turmoil a possible result.

THE EIGHT GIRLS and five boys were carefully chosen from among 42 who appealed an earlier ruling rejecting their applications for admittance to white schools.

Each of the 6-year-olds underwent an intelligence quotient or readiness text and social workers visited their homes to determine their background.

William D. Galbreath, board president, said these unusual "new procedures" applied to any child who appealed for a transfer to another school.

"We believe we are going to be able to do something here in Memphis quietly that has not been done elsewhere without much more elaborate preparation," said Galbreath.

THE BOARD SAID the deadline for applying for transfers to other schools has passed and no transfers due to desegregation would be granted.

Memphis is located in Southwest Tennessee on the Mississippi border. Almost 40 per cent of its 500,000 residents are Negroes.

The Memphis City Commission said desegregation was the only logical course—like it or not—and warned that it would be peaceful, or else.

In Tennessee, a pupil assignment law sets up 22 complex criteria by which a school board may determine which school a child must attend. There is no mention of race.

THE ONLY PREVIOUS class integration here was at Memphis State University, which lost a long legal fight. There are now about 50 Negroes among the 6250 students.

Several other Tennessee cities started public school desegregation some years ago—peacefully in some cases but with riots and school dynamitings at Clinton and Nashville.

The Memphis desegregation plan was hatched in secrecy, plotted to the most minute detail and launched like a well-rehearsed military operation.

A COMMAND POST was established in a grey stone relic of the Victorian age that houses the board of education. Across the street was the press headquarters. Communiques were issued periodically to keep newsmen abreast of developments.

"We want full, factual coverage of this event . . . of momentous importance," commented Galbreath, the somewhat nervous school board president.

Headquarters was linked to the schools by telephone and to the police cordons by radio. Police at the scene were issued "walkie talkies."

A news briefing was held last night with newsmen pledged not reveal the plan ahead of time.

SCHOOL BOARD officials, although they didn't say so openly, counted on this element of surprise to keep down crowds such as those that stromed about schools in Little Rock, Nashville and New Orleans on the first day of desegregation.

Police Commissioner Claude Armour told his officers (the exact number was a closely guarded secret) that he would tolerate no disorders.

Jack Petree, the school board attorney who served as chief of staff for the operation, echoed Armour.

The white teachers in the integrated classes were instructed ahead of time on their roles. Petree declined to say what the teachers were told.

Birmingham News

Admission of 13 Negro first-graders into four Memphis public schools yesterday was known to be in the works, though when the actual move would come was not specified until the hour, almost, of actual entry.

Federal District Judge Marion Boyd weeks ago had denied a Negro plea for immediate Memphis desegregation on grounds that the state placement law provided adequately for such action. Negroes appealed. Later applications of 50 Negro children for Memphis white school entry were turned down by the school board. Grounds given: To enable the board to process each application individually. Negroes planned appeals.

Everything board spokesmen said indicated intent to comply to some extent with virtual certainty of a court order to integrate if it did not do so "voluntarily." This it now has done, though further action in behalf of Negro children still refused entry is possible.

What Memphis does is Memphis' business. The method, however, is certain to attract understandable attention elsewhere in the South. For one thing, the board gave intelligence tests and made visits to determine home environment of the children for whom admission was sought.

Birmingham Ala

Memphis authorities say this is routine for transfer cases. But it will be a logical assumption very great care was taken as to background of children accepted. The question will come, what of children whose backgrounds are less "acceptable?" This is a matter of time.

Secondly, the press cooperated in concealing, at least overnight, the news received in this office under date of Tuesday, Oct. 3, contained not an item about integration yesterday morning in that city. Desirable as Memphis authorities may have considered this in name of maintenance of law and order, citizens of Memphis were denied news of the change in their own school system. This contrasts with Atlanta which used opposite strategy of fullest publicity.

Nashville is in the fifth year of integration. Knoxville has mixed. Other Tennessee districts have also.

Memphis thus has begun highly selective token integration. The NAACP will not long accept this as adequate nor will federal courts.



Memphis . . . First Day

14d(1) 1961

TENNESSEE

AUGUST

NASHVILLE- FIFTH GRADE ADDED THIS YEAR
THE FIRST FOUR GRADES IN SEVERAL CITY SCHOOLS HAVE BEEN INTEgrated gradually since 1957

Nearly 200 Mix Classes In Nashville

NASHVILLE, Tenn. (AP) — Nearly 200 Negroes enrolled in integrated classes Tuesday as Nashville began the fifth year of its stairstep desegregation plan.

The first four grades in several city schools have been integrated gradually since 1957 and the fifth grade was added this year in the grade-a-year program. The classes are predominantly white.

Supt. W. H. Oliver said the exact number of students registering Tuesday had not been determined. He said 157 Negro children enrolled in integrated classes last year and that he anticipated an increase of about 25 per cent this fall.

Registrations proceeded normally at the nine schools involved, Oliver said. Classes begin next week.

The start of desegregation in some first grade classes in 1957 was marked by violence and several persons were arrested. Since that time, however, school officials said there have been no racial disturbances.

14d(1) 1961

TENNESSEE

OCT.
FRANKLIN, TENN.- BOARD OF EDUCATION APPROVED A GRADE-a-YEAR DESEGREGATION PLAN

Grade-A-Year Okayed For Desegregation

FRANKLIN, Tenn. (AP) — The franklin School Board Thursday approved a grade-a-year desegregation plan, starting next September.

Board Chairman Ed Moody said the first grade will be desegregated at the start of the 1962-63 school year and one grade a year will be added until desegregation is complete.

"We are very happy with the decision of the board," said Bob Smith, spokesman for the Williamson County Council of Christian Men, which had sought desegregation.

The plan does not affect the county schools, which are segregated.

14d(1) 1961

OCTOBER

TENNESSEE

MEMPHIS

Memphis 'Mixes' Without Incident

Birmingham Post Herald
P.1 Wed. 10-4-61

BY BILL CRIDER

MEMPHIS, Tenn., (AP) — A century of segregation in Memphis ended Tuesday when 13 Negro first graders were admitted to white schools guarded by a massive police turnout.

Police Commissioner Claude Armour reported there were no incidents, which was not surprising. Fifty patrolmen, billy clubs in hand, patrolled the area around each of the four schools involved.

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Birmingham, Ala.

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"Yeah," said Jerry McGregor. "I'd rather be dumb than go to school with them."

In all, about 25 white pupils were withdrawn from the four schools.

Inside the schools, spokesmen reported all was serene. Teachers had prepared their classes for the new pupils. The wide-eyed newcomers moved through the school day without restriction — playing at recess, eating in the cafeteria.

The eight girls and five boys were carefully chosen from 42 who appealed to the Board of Education after their applications for admittance to white schools were rejected last month.

Private hearings were held. Social workers visited their homes to determine family background. Each of the 6 year-olds underwent an IQ test.

William D. Galbreath, board president, said no transfers to other schools would be granted to pupils dissatisfied with desegregated schools.

The four schools involved here have a combined enrollment of 1,579. Gordon and Rozelle each drew four Negro pupils. Three were admitted to Bruce, two to Springdale. The schools are located in white neighborhoods with Negroes living on the fringes.

Commissioner Armour, in reporting a quiet day, warned "outsiders" not to meddle. "If any outsiders anticipate coming to Memphis they will be dealt with virgorously," said Armour. "We are not going to have a Little Rock, New Orleans or Montgomery in Memphis."

The commissioner assigned 200 officers to work 12-hour shifts as school guards indefinitely. Special guards will patrol the grounds at night as a precaution against dynamiters.

The school board said it approached desegregation secretly because any publicity might have had diehard segregationists up in arms, with violence a possible result.

Several other Tennessee cities started public school desegregation some years ago. In some cases it was peaceful. But there were riots and school dynamitings at Nashville and Clinton.



WHITE CHILDREN LEAVE—Three white mothers walk away from Rozelle elementary school in Memphis rather than permit their children to attend classes with Negroes. (UPI Telephoto).



NEGRO CHILDREN GO TO WHITE SCHOOL—Four Negro first-graders pose for pictures before entering Gordon elementary school in Memphis. Thirteen Negro children were admitted to first grade classes, for the first time in Memphis history. (UPI Telephoto).

Memphis Schools 'Mixed'

Montgomery, Ala.
Alabama Journal
P.1 Tues. 10-3-61

MEMPHIS (AP) — Backed by a massive show of police power, the city school board admitted 13 Negro children to 4 all-white schools today.

It was the end of a century of rigid segregation in public schools. It came voluntarily, under the indirect pressure of a federal court lawsuit. No incidents were reported.

Each school had 50 or more policemen roving the blocks around it, walking patrols with long, wicked-looking billy clubs in hand.

The date of desegregation was a well kept secret, with a news blackout lifted only this morning. It all came as a distinct breakfast surprise to many residents.

Students Involved In Transfers Listed

Thirteen Negro Children Are In New Schools

The 13 Negro children who attended previously all-white city schools yesterday were:

GORDON—Pamela Mayes, 6, daughter of Mr. and Mrs. Roger Mayes of 737 Hastings, from Klondike; Alvin Freeman, 6, son of Mr. and Mrs. Sam Freeman of 936 Keel, from Klondike; twins Sheila and Sharon Malone, 6, daughters of Mrs. Mary Elizabeth Malone of 936 Looney, from Klondike.

SPRINGDALE—Deborah Ann Holt, 6, daughter of Mr. and Mrs. John Holt of 2469 Winnona, from Hyde Park; Jacqueline Moore, 6, daughter of Mr. and Mrs. General Moore of 2475 Winnona, from Hyde Park.

ROZELLE—Marcel Freeman, 6, daughter of Mr. and Mrs. Nick Freeman of 942 Melrose, from Cummings; Clarence Williams, 6, son of Mr. and Mrs. Edward Williams of 1033 Melrose, from Cummings; Leandrew Wiggins, 6, son of Mr. and Mrs. Woodrow Williamson of 817 Roanoke, from Lincoln; Joyce Ann Bell, 6, daughter of Mrs. Bettie M. Bell of 681 Lucy, from Walker.

BRUCE—Michael Willis, 5, son of Mr. and Mrs. A. W. Willis of 881 Mississippi, from La-Rose; Dwania Kyles, 5, daughter of Rev. and Mrs. Samuel Kyles of 1155 Greenwood, from Cummings; and Harry Williams, 5, son of Mrs. Romanita Williams of 291 C Dixie Mall, from Carnes.

4 City Schools Are Integrated —Order Reigns

13 Negro Pupils Accepted By Their Classmates Without Incident

By JAMES DELANEY

Four Memphis public schools were desegregated in an orderly manner yesterday.

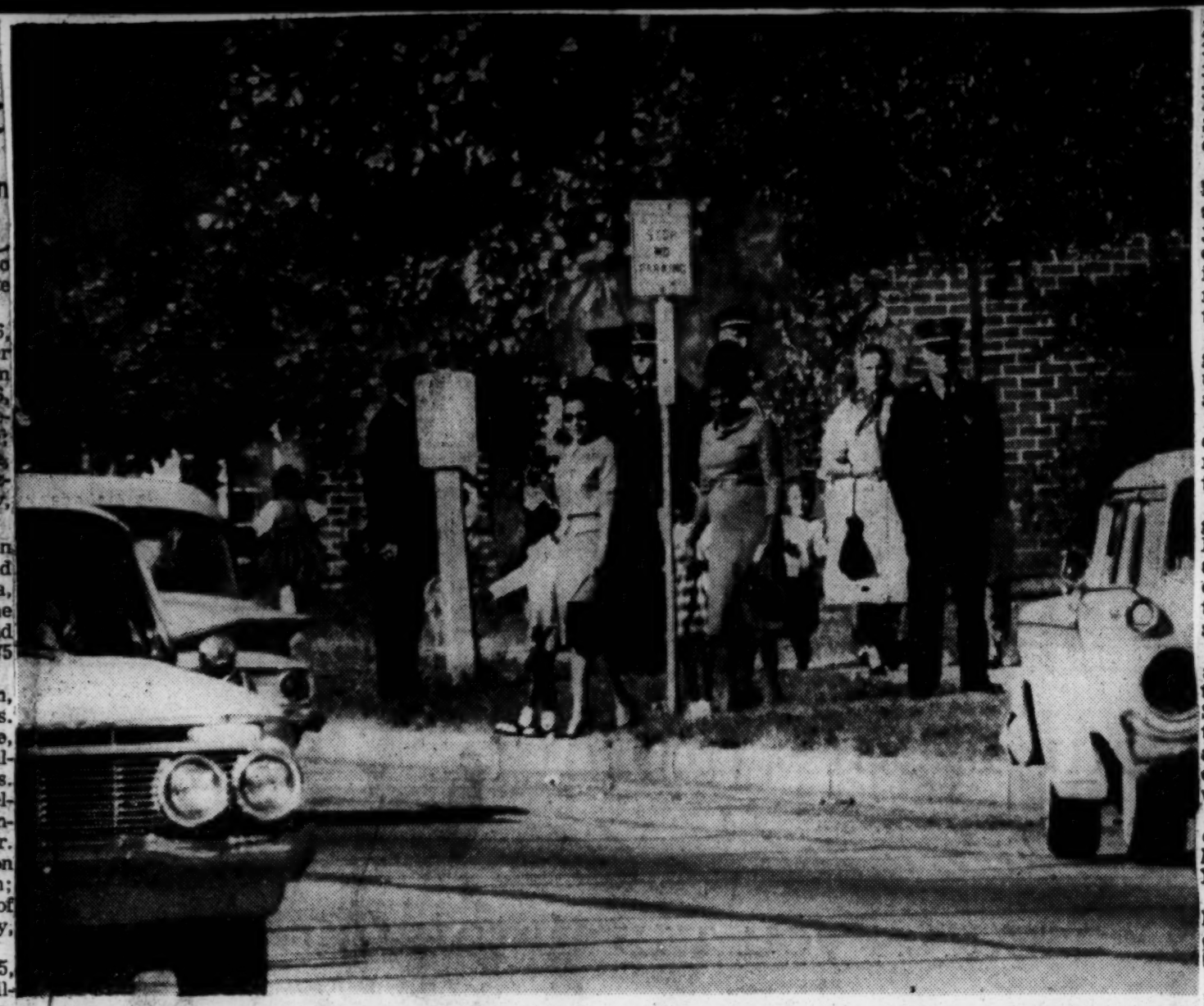
The first day of operation of the city's "good faith" integration plan was without incident.

School officials last night declared that "the transition is going on in an orderly manner and with no incidents."

Commissioner Claude Armour, who personally directed 200 police assigned to the four schools and the routes they traveled to and from school, said the same policing policy will continue indefinitely.

The eight Negro girls and five boys were received as "new pupils" by their white classmates. They were welcomed upon arrival as such by their homeroom teachers and were introduced to their classes.

During the day they joined the other children in drawing and other first-grade chores. At recess, they joined in play on the school grounds and at noontime they lunched with the other pupils.



FIRST DAY ENDS—Deborah Ann Hole and Jacqueline Moore, first graders who entered Springdale School yesterday as the first Negro children to do so, were called for by their mothers when they were dismissed at 2:30 p.m. The group left as it had entered in the morning—with police officers standing by, and without incident

Escorted By Adults

The Negro children were escorted to the schools by adults and were dismissed about 2:30 p.m. They were escorted in autos back to their homes by the same adults.

Bruce, Springdale, Rozelle and Gordon schools were desegregated as the City Board of Education put into effect its "good faith" program decreed last April by Federal Judge Marion S. Boyd.

Atttendance was normal at the four schools.

The Board of Education received reports from its principals that about seven parents had withdrawn 14 children from the schools the Negroes entered about 8:30 a.m. yesterday.

Reporters who talked with parents leaving the four schools with their children estimated that the number of pupils withdrawn probably would exceed 14 when school officials complete their attendance reports.

Ninety-five children were away from their classes at the four schools yesterday. This is about normal, board officials said. The four schools have a total enrollment of 1,580.

Many other parents visited the schools during the day and were shown to the classrooms where the Negro pupils had been placed. Some of these parents had expressed a desire to take their children home but after seeing the classroom activity, they departed, leaving their children in school.

Did Not Know Plans

These parents were among many who had not learned of the decision to desegregate the four schools. The school board did not reach its decision on what schools Negro pupils would be sent to until Monday night. The board announcement was made late Monday night to the newspapers and other news media.

William D. Galbreath, school board president, said last night he had visited the four schools and after "observing the general situation, the board is very happy that the transition is going on in an orderly manner and with no incidents."

General Activities

The general activities at the schools were:

GORDON—The four new pupils and their new schoolmates apparently got along fine.

"Everything was fine," was the way Mrs. Mary Malone of 936 Looney, mother of twin 6-year-old daughters, described it after calling at the school at 2:30 p.m. for her children. She, Mrs. Sam Freeman of 936 Keel, Mrs. Henrye Mayes of 735 Hastings and attorney Russell Sugarmon picked up the four at Gordon.

They learned that the children had been separated into two sections, with one Malone twin joining Alvin Freeman and the other joining Pamela Mayes. It is the custom in schools to separate twins the way the Malone twins were separated.

The new children were greeted by their schoolmates upon arrival in their rooms with a concerted "good morning."

ROZELLE—Eleven white children were taken by their mothers from the school during the morning.

"I didn't think Negroes would get in here," Mrs. Garland Black of 1496 East McLemore said, "We'll move out into the county and if they go to school there, we'll move back to Mississippi."

BRUCE: Three Negro youngsters, two boys and a girl, were taken to school by the Rev. Samuel Kyles, father of one of the boys. When they left school about 2:30 p.m., each said the day had passed pleasantly and without incident.

SPRINGDALE — Nine white children left the school at 880 Hollywood yesterday when two Negro girls were admitted.

Richard Norwood of 693 Bingham picked up his son and daughter as soon as he realized the school was being integrated.

"I got mine out right away," he volunteered. "I won't let my children go there."

Placement Law Limited

BY JOE HATCHER
Staff Writer, The Nashville Tennessean
Special to Atlanta Journal-Constitution

NASHVILLE, Tenn., Oct. 28—Tennessee's court-tested Pupil Placement law cannot be used as a desegregation plan, but only as a means of transferring pupils between schools for reasons other than race, U.S. District Judge William E. Miller ruled the past week.

In his ruling, the federal judge, who has handled most of the state's integration cases, set a new course of action by ordering all Wilson County schools integrated through all grades by Jan. 2, 1962.

Gradual integration plans have been approved in a number of cases, but Judge Miller held in the Wilson County cases that the city schools in Lebanon and Watertown, and the county schools must all be integrated through all grades.

THE THREE school districts, under court orders, submitted a plan of desegregation but

TENNESSEE

based it almost entirely on the pupil placement law, giving school boards the right of assignment of pupils to the various schools. All three boards agreed to end segregation in all schools in their areas, however, and under this proposal the court applied its ruling to all 12 grades.

In addition the court ordered the three school districts to rezone all schools in their districts, and assign all students to schools under the rezoning plans, which must be made without discrimination as to race. The court will keep the case open to determine that the orders are carried out to the fullest.

Judge Miller made it plain that he expected many Negro students newly assigned to previously all-white schools ask to be transferred to all-Negro schools, and whites assigned to Negro schools to ask for transfer to all-white schools. These changes can be made under the Pupil Assignment law only where applications are made.

Under the plan proposed by the Wilson County officials, no further shift or integration could have taken place until the end of the present school year. Judge Miller's decision quickly eliminated the delays, and set the rules for the immediate action.

EARLIER IN THE year three Negro students were enrolled in Lebanon schools under a court order, pending submission of the overall plan and full determination of the case.

The court did not rule on the proposal in the suit for integrating the teaching staffs as well as the schools.

BRIEFLY . . .

Labor voted itself into the state's political picture for the next three years when the state council authorized a fund of some $50,000 for the 1962 governor's race, another $15,000 in legislative races, and some $400,000 in the three years to include the 1964 presidential campaigns. . . . The Chattanooga labor market faces the **loss of some 1,750 jobs** with the **closing of the Peerless Woolen Mills in Rossville, Ga.,** by Dec. 1. The mills are reducing payrolls rapidly, and will **definitely close operations by** Dec. 31, officials have announced. . . . Politico-groceryman Cas Walker of Knoxville was **freed by a jury of charges of criminal evasion of some $152,000 in income taxes.** Walker may face civil action for the collection of the taxes. No jury has ever convicted in an income tax case in the Knoxville courts. . . . Nashville will **dedicate its new $4.5 million air terminal building** on Nov. 1. . . . Snow blanketed some areas in the Great Smoky Mountains early in the past week, **recording up to five inches at high levels in the park area.** . . . Union Carbide and Oak Ridge National laboratories reached agreement with the Atomic Trade and Labor Council **involving 4,500 hourly wage workers at the Oak Ridge plants,** and ended the strike threat there. . . . **Memphis State University is bursting at its seams with 8,200 enrolled and 10,000 expected within the next three years. A Junior College will be started next fall to help with the enrollment problems.** . . . **The city of Knoxville elects four city councilmen and four members of the school board** on Nov. 2, but the hottest issue on the ballot is whether Knoxville will fluoridate its water system. . . . W. S. Hackworth, former president of the N.C. & St. L. Railway and now president of the Nashville Bank and Trust Co., has been elected **president of the Nashville and Decatur (Ala.) Railroad,** a part of the L&N system.

KNOXVILLE SCHOOLS INTEGRATE QUIETLY

Special to The New York Times.

KNOXVILLE, Tenn., Dec. 31 — Integration of city and county schools has begun this year without fanfare or violence.

The grade-a-year integration plan made it possible for twenty-eight Negro first-graders to attend formerly all-white schools.

"There has been no trouble at all," according to Frank Marable, child personnel supervisor in the schools.

Superintendent of Schools Thomas N. Johnston offered the following explanation for the lack of trouble:

"Our people have a great deal of respect for law and order. There has been cooperation in the interest of the greatest good being done for the greatest number of people. Generally, things come out that way in our town, after liberal debate.

"Our school system is operated for 22,000 students. If one thing gets upset, it hurts the whole group. Our people don't want that to happen."

The county board of education voluntarily integrated its school system on the same grade-a-year plan approved by a Federal court.

14d(1) 1961

MEMPHIS NEGROES APPLY AT SCHOOLS

Make First Mass Attempt to Break Racial Barrier

New York, N.Y.

MEMPHIS, Tenn., Aug. 28 (UPI)—More than two dozen Negro children applied to enter the first grade at all-white elementary schools here today. Their move was the first mass attempt to end racial segregation in the city school system.

Negro and white children stood in line together or sat in the same classrooms while school administrators went about the normal business of registration.

Both Negro leaders and white officials said that there had been no incidents of trouble.

W. D. Galbreath, president of the city school board, estimated that about twenty-five Negro first graders had applied at all-white schools in the first day of registration. Classes begin next week.

An official of the National Association for the Advancement of Colored People said that between sixty and 100 Negroes would seek admission to white schools for the fall term.

The association has pending a lawsuit asking the United States Court of Appeals to order the board of education to desegregate the schools or present a plan for desegregation. The case probably will not be heard before November.

Only Filed Applications

Federal District Judge Marion S. Boyd ruled last April that Memphis was moving toward desegregation in a legal and orderly way.

Mr. Galbreath made it clear thatt he Negro children had been permitted today to fill out applications for white schools, "not to register."

He said thatthe applications would be sent to the Board of Education, which he said would assign all pupils to schools, "not necessarily to the ones at which they applied."

He said that all requests would be handled under the Tennessee Pupil Placement Law and that any child dissatisfied with his assignment could appeal to the school board.

The N. A. A. C. P. said that the largest group of Negro children, about thirty, was seeking admission to the Guthrie Elementary School, in a business residential section where several Negroes live.

Another group went to the Merrill School, and Negro sources said that at least one had gone to each of eight other schools scattered throughout the city.

At Merrill, officials said that Negro and white children had sat in the same room while teachers took down information. "There was no trouble at all," the principal, Lillian Newton, said. "Everyone was just as courteous as they could be."

The children were accompanied by their parents and, in a few cases, by N. A. A. C. P. officials.

Prince Edward Defiant

By CABELL PHILLIPS

Special to The New York Times.

FARMVILLE, Va., Aug. 28—Prince Edward County has decided to continue its effort to keep its private, segregated school system alive in the face of a court order.

B. Blanton Hanbury, president of the Prince Edward School Foundation, announced today a state-wide appeal for $30,000 in contributions with which to establish a private scholarship fund in the county. This sum is needed to supplant the state and county tuition grants that were declared illegal by Federal Judge Oren R. Lewis in Richmond last week.

J. Barrye Wall, publisher of The Farmville Herald and a leader in the segregation movement, said, "This will show the world we can get along without any public aid whatever."

"Our people have said they don't want mixed schools, and they don't intend to have them," he said.

The foundation's decision came after a week-end of confusion over the future of the schools.

The Federal court order dried up what had been the main financial prop of the all-white private school system. The opening of the schools, meanwhile, had been set for Sept. 5, a week from tomorrow.

No School for Negroes

Until today's announcement, most responsible citizens here had no idea whether there would be schools at all this year, whether the public schools would reopen on a desegregated basis, or whether some device would be found for continuing the private schools as before.

The immediate answer is that the private schools for white children will open as scheduled and that there will be no schools, public of private, for Negro children. This is the way the system operated in the last school year.

There is no certainty that the full $300,000 can be raised. Some observers think that the prospects are reasonably good, since the appeal is being made by a letter addressed to thousands of persons all over the state who are known to favor segregation.

The foundation has a cash carry-over from last year of approximately $40,000, and this will serve to get the new session started.

At the beginning of the 1959 school year, Prince Edward County, anticipating a Federal Court order to desegregate its schools, decided to abandon its public school system entirely. Negro plaintiffs from the county were among the original petitioners in whose favor the United States Supreme Court ruled in its decision of May 17, 1954, declaring "school segregation unconstitutionel.

About 1,200 children are enrolled in the foundation's schools.

Education Board Rejects Negroes

Wed 8-30-61

Applicants At White Schools May Appeal Decisions To Hearing Officers

Memphis Press

The Memphis Board of Education will reject applications by Negroes to enter white schools, William D. Galbreath, board president, said yesterday.

The board's action will force applicants to appeal their school assignments to hearing officers who will review their qualifications. The hearing officers, Dr. John W. Richardson of Memphis State University and attorney Paul M. Bryan, will then report their findings to the board.

"The applications for assignment will be denied and then processed through appeal because only in this way will the board be able to give proper consideration to the qualifications of the particular student," Mr. Galbreath explained.

TENNESSEE

50 Applications

Fifty Negroes applied for admission to first grades of eight white schools Monday. Their applications were forwarded to the board for action.

Mr. Galbreath said the board will notify parents if a request for admission has been denied. The notification will be mailed "probably today," he said.

The board decision must be appealed within 10 days. Recommendations of the hearing officers can be rejected by the board.

Court Appeal Possible

If there still is dissatisfaction with the decision, the parent may appeal the assignment through the courts.

The first meeting of the hearing officers is expected to be Sept. 15.

Eleventh and 12th graders registered yesterday. Grades 8 and 10 will register today.

First Grade Integrates In Memphis

Houston Courier

Wed 10-4

By the Associated Press

Memphis

Wary police braced Wednesday to keep the peace at four public schools which integrated their first-grade classes.

About 50 officers, billy clubs in hand, were assigned to patrols in the school areas. Special guards had watched for possible "dynamite protests" during Wednesday night.

The city's century-old racial segregation in public schools cracked Tuesday when 13 Negro six-year-olds were assigned to white schools.

Police Commissioner Claude Armour said no incidents were reported. He said the special assignment of 200 officers to the school guard patrols would continue "until we are convinced there is no possibility of violence."

The special patrols forced all 600 men in the department into 12-hour shifts. Mr. Armour estimated the overtime pay cost to the city at about $5,000 a day.

William D. Galbreath, president of the Memphis Board of Education, said no violence was expected on the face of police precautions. "If we have any trouble it will be a school boycott," he said.

A few irate parents withdrew their youngsters from school Tuesday as soon as they heard about the desegregation move, which was prepared in near secrecy by the school board.

Mr. Galbreath said no transfers to other schools would be granted to pupils dissatisfied with desegregated schools.

A news blackout on the admission of Negro pupils was not lifted until a few hours before school bells rang. Many residents didn't known anything unusual was going on until late in the day.

The eight girls and five boys were carefully chosen from 42 Negro children who appealed to the board of education after their applications for admittance to white schools were rejected last month.

Private hearings were held. Social workers visited their homes to determine family background. Each of the six-year-olds underwent an IQ or readiness test.

Memphis was the second Deep South city to see token integration in its schools within a month. Atlanta opened some schools to Negroes without incident.

The four schools involved here have a combined enrollment of 1,579. Gordon and Rozelle each drew four Negro pupils. Three were admitted to Bruce, two to Springdale. The schools are located in white neighborhoods with Negroes living on the fringes.

Commissioner Armour, in reporting a quiet day Tuesday, warned "outsiders" not to meddle. Memphis lies near the borders of Arkansas and Mississippi.

"If any outsiders anticipate coming to Memphis they will be dealt with vigorously," said Mr. Armour. "We are not going to have a Little Rock, New Orleans, or Montgomery in Memphis."

4 Schools Integrated In Memphis

Miami Herald

P 35 A

Wed 10-4-61

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Desegregation was voluntary, although due to indirect pressure from a Federal Court suit now pending on appeal. The School Board prepared for "D-Day" in near secrecy.

For many residents "D-Day" came as a jolt. They got their first word of it Tuesday morning when a news blackout was lifted.

Attendance at the schools was reported nearly normal despite a trickle of bitterly outspoken white mothers who hustled their youngsters out of classes.

"We will either transfer him or move plumb out of the city," said Mrs. Herman McGregor after pulling her nine-year-old son out of his fourth-grade class. "We may go back to Mississippi where they don't let them go to school with whites."

"Yeah," said Jerry McGregor. "I'd rather be dumb than go to school with them."

In all, about 25 white pupils were withdrawn from the four schools.

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AUGUST OCTOBER

MEMPHIS

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11/8(1) 1961

Chattanooga ordered to map plan for speedier integration

The Afro American P.16 Baltimore, Md.

CINCINNATI, Ohio — The board of education of the Chattanooga public school system was ordered by the U.S. Court of Appals, Sixth Circuit, last week to speed up its integration plan.

The order affirmed two earlier decisions handed down by Judge Leslie R. Darr of the U. S. District Court. Judge Darr ordered the board on Nov. 3, 1960, to submit an acceptable desegregation plan by Dec. 20, 1960. The board submitted a plan Jan. 23, 1961, which was rejected.

Appealing the rejection, the school board contended it needed more time to educate the public. The Court of Appeals, however, held "we do not find that there has been any abuse of discretion."

Sat. 11-25-61

IN NASHVILLE, Tenn., the Southern School News reported that five more school districts desegregated this fall, raising the number of desegregated districts in 17 southern border states to 829.

The new districts lowering the color bar included one in Florida, two in Kentucky and two in Delaware. Those in Florida and Kentucky integrated classes voluntarily.

And on the first anniversary of integration in New Orleans schools, the atmosphere is just the opposite of that last December.

When William Frantz School and McDonough 19 desegregated on Nov. 14, 1960, the parents and student bodies protested like the roar of a lion. But with the courts standing pat, knocking off segregation laws one - by - one, the demonstrators appear now meek as a lamb.

* * *

A THREE - MEMBER integration committee, under the chairmanship of James A. Scott, director of a group of elemenary schools, has been selected by the St. Louis Board of Education to determine the extent and effectiveness of racial integration in the system.

Other members of the committee are Mrs. Reba S. Mosby, assistant professor of sociology at Harris Teachers College, and R. M. Inbody, assistant superintendent in charge of secondary education.

Of the three members, only Mr. Inbody is white.

The committee is scheduled to visit New York, Philadelphia, Baltimore and Washington in conncetin with the investigation — mainly to see how those cities are solving some of their problems.

* * *

IN AUSTIN, the University of Texas Board of Regents last week withheld plans for considering the desegregation of dormitories and varsity athletics when three students filed suit in Federal court.

"We wish to say that in view of the filing of a lawsuit on this question we deem it improper to comment or take time on this question pending final decision by the court," the regents agreed unanimously.

Sam Houston Clinton Jr., attorney for the students, had written Thornton Hardie, regents chairman, a letter urging that the regents desegregate the dormitories at the meeting.

* * *

SOME 14 INDIAN parents last week asked the Federal District Court to issue an injuntion against the Harnett County School Board and Supt. G. T. Profitt, charging the board with operating segregated elementary school.

The parents are seeking to transfer their children from Maple Grove School, described in the suit by the Indians as "very much inferior .... to grammar schools in North Carolina on the average."

Indiana high schol pupils were admitted to Dunn High Scholl this fall after a series of protests.

* * *

FOLLOWING AN appeal to the State Board of Education the case of 38 pupils in Atlanta seeking transfer to all white schools was sent back to the Atlanta Board of Education.

The state board said that the city must give the applicants a reason for denying their transfer requests.

Newell Edenfield, who, represented the city, admitted "no reason was ever given" for denying the request. And Supt. John Lester said he was sure the board would "review" the cases, but added, if the state board wants a reason, "we'll have some ready."

* * *

THE FAIRFAX Education Association, composed of some 2,500 fairfax County Teachers, last week voted 396-331 against integrating its membership before the fall meeting in 1962.

Also a motion to strike out the word "white" in membership provisions was voted down 320-307. Similar action was taken at the October meeting.

Advocates of desegregation called postponing the action as "an act of timidity." They said teachers shoudl stand up for the democratic ideals they teach in the classroom.

* * *

THE RUTGERS - Douglas College Chapter of the NAACP this week ended the traditional policy of placing colored students together as roommates at Douglas.

Ruffen Cotton, chairman of the NAACP's special housing practices committee, presented a complaint to Miss Dorothy Moser, head of housing at Douglas, the women's division of Rutgers, at New Brunswick, N.J.

The college's administration immediately announced a change, adding that "from now on all housing assignments will be made according to similar hobbies and other interests."

The Rutgers Daily Targum termed the move "a wise action" in a supporting editorial. However, it asked "How did the authorities know the student's race when the State University prides itself on the absence of race or creed consideratins in admissions?"

TENNESSEE

14d(1) 1961 TENNESSEE MEMPHIS OCTOBER

Memphis Integrates Its Schools Quietly

The Atlanta Constitution p. 2
Wed, 10-4-61
Atlanta, Ga.

By BILL CRIDER

MEMPHIS, Tenn. (AP)—A century of segregation ended in Memphis Tuesday when 13 Negro first graders were admitted to white schools guarded by a massive police turnout.

Police Commissioner Claude Armour reported there were no incidents, which was not surprising. Fifty patrolmen, billy clubs in hand, patrolled the area around each of the four schools involved.

Desegregation was voluntary, although due to indirect pressure from a federal suit now pending on appeal. The school board prepared for desegregation in near secrecy.

For many residents, "it" came as a jolt. They got their first word of it Tuesday morning when a news blackout was lifted.

Attendance at the schools was reported nearly normal despite a trickle of bitterly outspoken white mothers who hustled their youngsters out of classes.

In all, about 25 white pupils were withdrawn from the four schools.

"We will either transfer him or move plumb out of the city," said Mrs. Herman McGregor after pulling her son out of his fourth grade class. "We may go back to Mississippi where they don't let them go to school with whites."

ALL SERENE

"Yeah," said Jerry McGregor. "I'd rather be dumb than go to school with them."

Inside the schools, spokesmen reported all was serene. Teachers had prepared their classes for the new pupils. The wide-eyed newcomers moved through the school day without restriction — playing at recess, eating in the cafeteria.

The eight girls and five boys were carefully chosen from 42 who appealed to the Board of Education after their applications for admittance to white schools were rejected last month.

Private hearings were held. Social workers visited their homes to determine family background. Each of the 6-year-olds underwent an IQ test.

NO TRANSFERS

William D. Galbreath, board president, said no transfers to other schools would be granted to pupils dissatisfied with desegregated schools.

The four schools involved here have a combined enrollment of 1,579. Gordon and Rozelle each drew four Negro pupils. Three were admitted to Bruce, two to Springdale. The schools are located in white neighborhoods with Negroes living on the fringes.

Commissioner Armour, in reporting a quiet day, warned "outsiders" not to meddle. "If any outsiders anticipate coming to Memphis they will be dealt with virgorously," said Armour. "We are not going to have a Little Rock, New Orleans or Montgomery in Memphis."

The commissioner assigned 500 officers to work 12-hour shifts as school guards indefinitely. Special guards will patrol the grounds at night as a precaution against dynamiters.

The school board said it approached desegregation secretly because any publicity might have had diehard segregationists up in arms, with violence a possible result.

Several other Tennessee cities started public school desegregation some years ago. In some cases it was peaceful. But there were riots and school dynamitings at Nashville and Clinton.



Associated Press Wirephoto

THREE NEGRO CHILDREN ON WAY TO INTEGRATED MEMPHIS SCHOOL

In Background, Mother of One of Them Talks to Newspaper Reporter

MEMPHIS DESEGREGATES FOUR OF CITY SCHOOLS

Atlanta World D1 Wed 10-4-61

Thirteen Children Enter Schools In Calm Atmosphere

Atlanta Journal

MEMPHIS, Tenn. — (UPI) — The "surprise' desegregation of four elementary schools in this river metropolis deep in the cotton country was carried out without incident Tuesday under a heavy police guard.

Thirteen Negro children, all first graders, were accepted with adult calm by their diminutive white classmates, who had been thoroughly briefed in advance by their teachers.

Only a few parents outwardly objected when news was released that the four schools — Gordon, Springdale, Rozelle and Bruce — had been desegregated.

Three white mothers turned up at Rozelle and withdrew six children. Eight other white pupils were withdrawn from Springdale school and three girls were taken out of Gordon.

The break with the century -old custom of school segregation in the city of a half - million was carried out under Tennessee's pupil placement plan.

DETAILS KEPT SECRET

Although the decision to integrate class rooms had been long known, the date and details of the Memphis desegregation plan" was kept a secret until early Tuesday. Newsmen were permitted to talk to the Negroes and their parents briefly after they left their cars at the walk.

The children included: At Gordon, Pamela Mayes, Alvin Freeman and sister Sheila and Gail Hoit; at Springdale — Michael Hoit and Jacqueline Rozelle — E. C. Freeman, Carolyn Williams, Leandrew Williams and Joyce Ann Bell; and at Bruce, Michael Willis, Dwania Williams and Barry Williams.

The Negro children were taken to the principal's office at the four schools about 8:35 a. m. where they were given a "briefing" and taken to their classrooms about half an hour later.

The 13 Negroes were admitted to the four white schools after they appealed their assignments to Negro schools under Tennessee's pupil placement law.

FIFTY - THREE APPLIED

Fifty -three Negroes applied for admission to all -white schools at the beginning of the fall term. The school board rejected all 53 applicants and 42 appealed.

A special three man committee was appointed to hear the appeals. This committee sent social workers to the homes of the NeNgro children to learn something of their family background and give the children intelligence tests to determine if they would "fit' into the schools for which they applied.

Wed 10-4-61

School board President William Galbreath said "voluminous" reports were compiled on each case. He said reports of the social workers, results of the tests and testimony of Negro parents and their attorneys conducted by the committee all were taken into consideration in deciding which of the applicants would be admitted.

Schools Mixed At Memphis

Jackson Daily News P.1 Tues-10-3-61

Negroes Admitted To First Grades

Jackson, Miss.

MEMPHIS, Tenn. (UPI)—Thirteen Negro children began arriving for first grade classes at four previously all-white schools here today to end a long tradition of school segregation.

The five Negro boys and eight girls — including twin sisters — met at designated points near the schools and walked the remaining distance, accompanied by their parents and local NAACP officials.

No incidents were reported. Police surrounded the schools to head off any possible disorders.

A number of parents quickly showed their disapproval by withdrawing their children.

At least six white children left Rozelle school and four others left Springdale school. One mother, who refused to give her name, said her family may move to another section of the city.

She went to the Rozelle school to get her three children and the 8-year-old son of a neighbor. Two other mothers also showed up at Rozelle and withdrew two children.

The plan, as announced at a news conferenre Monday night, called for three children to be admitted to Bruce elementary school, where 555 white children now attend class; four to Gordon where there are 330 whites; four to Rozelle where the whites number 364; and two to Springdale in northeast Memphis, with a white enrollment of 330.

The decision to integrate classrooms in this city of a half-million came as no surprise. But the date and details of the Memphis desegregation plan had been kept secret until announced by the city board of education at a news conference early today.

Officials said they would tolerate no violence and school board attorney Jack Petree said police would be "all over everywhere" to guard against possible incidents. Petree said a large number of officers, some in disguise, would be stationed near each school to watch for troublemakers.

NEWS 'BLACKED OUT'

Memphis newspapers and local radio and television stations cooperated with the school board in not publicizing the plan until this morning in an effort to curb possible racial flareups such as occurred at Little Rock and New Orleans.

Violence greeted the first attempt to integrate schools in New Orleans on Nov. 14, 1960. Whites boycotted two formerly all-white schools attended by four Negro girls and threw stones at white students who refused to stay away.

Four more schools were integrated last month, bringing some boycotting by white students, but no mob excitement.

Atlanta sent police and other officials to observe the New Orleans situation and used that knowledge to draft the Georgia capital's school desegregation plan. Officials warned that no violence would be tolerated and that news coverage would be tightly controlled.

The result was an almost-routine acceptance of nine Negroes in four white high schools on Aug. 30.

14d(1) 1961

TENNESSEE

AUGUST OCTOBER

MEMPHIS

50 Negroes Apply At White Schools

Attempt Called Strongest Yet To End Segregation In Memphis

MEMPHIS, Aug. 28 (UPI)—About 50 Negro children made application to enter the first grade at all-white elementary schools here today in the strongest attempt so far to end racial segregation in the city school system.

One top-ranking school official predicted "a few" of the Negroes would be admitted. But he said the final decision would be up to the school board.

Negro and white children stood in line together or sat in the same classrooms while school administrators went about the normal business of registration.

Both Negro leaders and white officials said there were no incidents.

W. D. Galbreath, City School Board president, estimated nearly 50 Negro first graders applied at all-white schools in the first day of registration. Classes begin next week.

An NAACP official said earlier 60 to 100 Negroes would seek admission to white schools here this Fall—the first mass attempt to tear down racial barriers at Memphis schools.

The NAACP now has a lawsuit asking the U. S. Court of Appeals to enjoin the City Board of Education to desegregate schools or present a plan for desegregation. But the case probably won't be heard before November.

U. S. District Court Judge Marion Boyd ruled last April that Memphis was moving toward desegregation in a legal and orderly way.

Galbreath made it clear Negro children were permitted to fill out applications for white schools, "not to register."

The applications, he said, would be sent to the board of education which will assign all pupils "not necessarily to the ones at which they applied."

He said all requests would be handled under the Tennessee pupil placement law, and any child dissatisfied with his assignment could appeal to the school board.

Negroes Seek School Entry

46 Appear As First Grade Students Register In Memphis

JAMES R. DELANEY

Negroes made a concerted effort to gain entry to white schools yesterday as the first wave of an expected 103,000 students lined up to apply for admission to classes.

William D. Galbreath, president of the Memphis Board of Education, reported 46 Negroes had appeared at white schools to submit their applications.

The turn-out of 12,000 first graders was orderly.

Registration of 11th and 12th graders begins at 8:30 this morning.

Refers To Policy

Mr. Galbreath emphasized that application for admission to school by either white or Negro students does not mean the student will be accepted in the school of his choice.

The Tennessee Pupil Placement Law gives school personnel the right to assign students to schools.

"If the pupil is not assigned to a school of his choice, he may appeal his assignment through the board," Mr. Galbreath said.

Mr. Galbreath also said he "expected pupils to be assigned to the schools they normally would be assigned to before this method of registration was adopted."

He referred to the School Board policy adopted last May which requires school principals to forward all applications for admission to the board. If a parent or guardian is dissatisfied with the subsequent assignment made by the board, the assignment may be appealed.

None Apply In County

The largest group of Negroes made application at Guthrie. Other Negroes were reported to have applied at Gordon, Maury, Merrill, Bruce, Southside, Vollentine, Rozelle, East, Prospect and Mallory.

George H. Barnes, superintendent of county schools, said yesterday's first day of classes was "quiet and normal." No Negroes applied to enter county schools.

BOARD PULLS SNEAKER–13 NEGROES ENROLL

Century Of Segregation Ends In Memphis

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Several other Tennessee cities started public school desegregation some years ago. In some cases it was peaceful.



DESEGREGATED MEMPHIS SCHOOLS — Here are 12 of the 13 firstgraders who were transferred to four formerly all-white public schools in Memphis. Front row, left to right: Alvin Freeman, Gordon; Harry Victor Williams, Bruce, and Clarence Williams, Rozelle. Second row, left to right: Joyce Ann Bell, Rozelle; Deborah Ann Holt, Springdale; Dwania Kyles, Bruce, and Michael Willis, Bruce. Third row, left to right: Leandrew Wiggins, Rozelle; Jacqueline Moore, Springdale; Sharon and Shiela Malone (twins), Gordon, and Alvin Freeman, Gordon. Missing from the picture is Pamela Mayes, Gordon.

Desegregation Due To Spread In Fall

The Afro-American

Baltimore, Md.

4 cities air plans to extend mixing

Sat. 4-8-61

P. 16

KNOXVILLE, Tenn. — Next fall, this city will experience its first integration on the high school level The city board of education sent to federal court a plan for desegregtion which would result in colored pupils being admitted to Fulton High School for technical and vocational classes.

1400

The court already has approved a grade-a-year plan for elementary school desegregation. Some 30 colored pupils have been admitted under this plan.

Tenn

IN LITTLE ROCK, desegregation in the city's junior high schools seems to be set for September. So far, desegregation has been confined to the high school level.

Ted Lamb, secretary of the school board, said that if the board does not desegregate junior high schools of its own choice, a federal court will order it to do so. He said the courts are losing patience with the board because of slow desegregation and attempts to "outwit" the courts.

Meanwhile, the NAACP attacked the board's plan to change Rightsell Elementary School from all-white to all-colored. The Rev. J. C. Grenshaw, in a letter to the board, said the shift was "an attempt to circumvent the decision of the United States Supreme Court . . ."

He urged that all pupils, regardless of color, be allowed to attend schools nearest their homes.

* * *

WIDER SCHOOL integration is also in prospect for New York schools as the "open enrollment" plan will be extended in the fall to 4,433 first and second grade pupils in 12 schools.

Pupils who normally would attend overcrowded ghetto schools, with predominately colored and Puerto Rican enrollments, may elect to attend less crowded, integrated schools outside their districts.

* * *

CHATTANOOGA, TENN. announced that it is ready to start grade-a-year desegregation in September. The new plan was ordered by Judge Leslie R. Darr who had rejected an earlier plan which would delay the start of desegregtion for a year.

* * *

IN WASHINGTON, 18 Senators introduced a bill which would authorize federal aid for school desegregation. The bill would also empower the attorney general to file civil rights suits on behalf of individuals.

Leading the solons is Illinois' Sen. Paul H. Douglas, who said "the progress of desegregation has slowed almost to a walk."

He added: "Over 300 new laws and resolutions have been adopted by the legislatures of 15 states in an effort to prevent, restrict or control school desegregation."

His co-sponsors are: Sens. Hubert H. Humphrey, D., Minn.; Wayne Morse, D., Ore.; Jacob K. Javits, R., N.Y.; Philip A. Hart, D., Mich.; Eugene J. McCarthy, D. Minn.; Clifford P. Case, R., N.J.; Ernest Gruening, D., Alaska; Frank E. Moss, D., Utah.; Gordon Allot, R. Colo.; Stepehn M. Young. D., Ohio; Thomas H. Kuchel, R., Calif.; Albert Engle. D., Calif.; Maurine B. Neuberger, D., Ore.; Edward V. Long, D., Mo.; Claiborne Pell. D., R.I.; Harrison J.A. Carroll, D., Col.

* * *

A THREE - JUDGE Federal Court, sitting in New Orleans, said, emphatically last week, that it expects every member of Louisiana's state education department to comply with school-desegregation orders.

The court referred to Shelby Jackson, state education superintendent. Some weeks ago, Mr. Jackson escaped a federal contempt citation by promising to abide by federal orders to recognize the New Orleans school Board — under federal orders to desegregate.

Jackson subsequently refused to deal with the board and, before the case got back to the courts, went into a hospital complaining of asthma and heart trouble.

The state has laws forbidding any aid to school desegregation and if Jackson had heeded the federal order, he would have broken state law.

Two more of the state's laws came under federal fire last week, as U. S. deputy marshals served papers attacking the "informer" law.

This law is an adjunct to the one which calls for anyone to be fined who encouraged parents to send children to integrated school or who encouraged teachers to work in them.

The informer law would have turned over the amount of the fine to the persons informing the state of infraction of the other law. The U. S. asked a federal court to enjoin the enforcement of the two laws.

Still in New Orleans: Federal District Judge J. Skelly Wright set April 7 as a hearing date on a suit to stop the St. Helena Parish School Board, under orders to desegregate, from holding an election to decide whether to integrate or close the schools.

A. P. Turead, NAACP attorney, filed the suit. He said the election proposal is a move to sidetrack integration.

NEW ROCHELLE, N. Y. is still fighting an order to desegregate Lincoln School. Merryle Rukeyser, board president, said "We're still in the process of appealing. There is a possibility the court will extend the deadline further."

The New Rochelle board is accussed of making Lincoln School a segregated one by gerrymandering the school district.

In Philadelphia, Calvin E. Gross, school superintendent from Pittsburgh, urged school officials to end the "color caste" system in schools.

Speaking before a regional convention of the American Association of School Administrators, he said the idea that "the best educated colored persons should be considered subordinate to the lowest white person is perfectly monstrous.

"It put the whole country to shame."

FURTHER SOUTH, in Atlanta, Ga., the Georgia League of Women Voters attacked the state's practice of spending more money per student, for whites than for colored. The League said:

"While Georgia's schools are separate, they are not equal with respect to per capita expenditures in the major areas of instruction, plant operation and plant maintenance."

Criticising the state law to subsidize students who would escape integration by going to private schools, the League said:

"If Georgia has not been able, before 1958, through its far-sighted program of state spending under the Minimum Foundation Program, to support equitably two kinds of schools, how can three kinds be supported.

Tennessee White Girl Enters Negro School

The News & Courier

Charleston, S. C.

1400

SEVIERVILLE, Tenn. (AP) — A little white girl has been enrolled in the second grade of a rural Negro elementary school.

Monisha Moore, 7, daughter of Mr. and Mrs. Bruce Moore of near Strawberry Plains, has been attending Cynthianna School for Negroes for the past three weeks.

Moore said he enrolled his child in the Negro school because it is only a quarter mile from the family home and also because he was dissatisfied with her progress in the white school to which she formerly rode 10 miles daily by bus.

Mon. 4-17-61

Miss Earline Evans, second grade teacher, said Monisha had been accepted by the other pupils and appeared to be happy.

Sevier County school officials said the Bruces did not have written permission of the schools' principals for the transfer of Monisha and that she was not officially enrolled at the Negro school.

P. 1-A

Sydney Gilreath, a member of the County School Board, said the board felt it would be best at this time to "let the thing work itself out."

Gilreath added: "All the white people of the community are very, very upset. We are not for integration in this county, and it won't happen until the court orders it here."

Bruce is employed at an iron works plant in Knoxville, 25 miles north of here.

White Girl Enrolled In Negroes' School

The Commercial Appeal

Memphis, Tenn.

Second Grader Integrates Rural Sevier Unit

SEVIERVILLE, Tenn., April 16.—(AP)—The parents of a 7-year-old white girl have enrolled her in the second grade of a rural Negro elementary school.

Monisha Moore, daughter of Mr. and Mrs. Bruce Moore of near Strawberry Plains, has has been attending Cynthianna School for Negroes for the past three weeks.

Mon. 4-17-61

P. 1-27

Mr. Moore said he enrolled his child in the Negro school because it is only a quarter mile from the family home and also because he was dissatisfied with her progress in the white school she formerly rode 10 miles daily by bus to attend.

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Nashville grade school pupils studying French and Spanish

NASHVILLE, Tenn. — Some 75 youngsters in Grades 2-5 at Moses Mckissack Elementary School are studying French and Spanish.

And they're doing so well that a parent, following a visit to the school, confided to a friend: "Those kids make me feel stupid, but I'm proud of them."

The pilot project was begun in 1956 by the foreign language department of Tennessee State University in cooperation with the school.

* * *

PRAISING the success of the program, Mrs. Walter S Davis, principal, said:

"The children enjoy it a great deal and they are able to relate what they learn to other areas. It helps them with social studies, reading, and gives them understanding of other cultures of the world."

"We are hoping to take the pupils right through all six years of elementary school," Mrs. Davis added, noting:

"Spanish is already being offered at Washington Junior High School and we hope by the time our pupils are ready to go there that French will be offered too."

* * *

SOME 14 pupils in the fourth grade are studying Spanish for the third year. Since French wasn't begun until last year, the 21 pupils in the fifth grade are only in their second year. There are 22 in the fourth grade French class and 18 in the second grade Spanish class. Dr. Sarah M. Periera, professor of Romance languages at Tennessee State, supervises the Spanish classes which are taught by Mrs. Carolyn Savage, a graduate student at the University.

And Miss Lurellia Freeman, a French instructor at the university, is teaching at McKissack on a volunteer basis.

"WE ARE using the direct method," said Miss Freeman. "The children are learning French just as they learned English — by imitation."

No English is spoken in either the French or Spanish classes.

The teacher uses pictures, objects, film strips, records and stories to illustrate meanings she wants to convey, repeating the corresponding words in the foreign language.

The children repeat the words until they associate the pronunciation and meaning.

* * *

"THEY LEARN quickly," Miss Freeman pointed out. "One of the most interesting things is," she added, "they go back to their classrooms and teach other pupils what they've learned."

They are also influencing their families, she continued.

"Many parents who were introduced to French in college have gone back to study. And older brothers and sisters, who are taking French in high school, are studying all the harder because they don't want their little brothers and sisters to get ahead of them."

Uphold Closing Mixed School

JACKSON, Tenn. — (UPI) — The Tennessee Supreme court this week affirmed a lower court order closing the controversial Highlander Folk school, an interracial institution dedicated to the promotion of integration.

School attorneys immediately said they will appeal the decision to the U. S. Supreme Court.

Clerk B. J .Boyd of the state supreme court said the decision meant that Highlander must halt operations immediately unless it gets a stay order from the state court permitting it to operate while it takes its fight to the U. S. Supreme Court.

Highlander Atty. Cecil Bramstetter of Nashville, said that is the procedure the school will follow. The school has been allowed to operate for more than a year while its case was being appealed.

At Highlander, in Monteagle, Tenn., Ann Lockwood, a staff member said, "We have a workshop planned for about 80 college students for this weekend, and we have no plans not to go ahead with it."

Chief Justice Alan Prewitt and the court unanimously affirmed the Feb. 16, 1960 ruling of Judge Chester Chattin of Winchester.

Chattin said the integrated adult education center had violated state segregation laws, state beer laws, and was operating for the personal gain of its founder and director, Myles Horton, in violation of its nonprofit charter.

Lone White Girl Goes To Rural Negro School

SEVIERVILLE, Tenn (AP)—A white girl is attending a rural elementary school for Negroes and, according to a school official, has "all the white people of the community very, very upset."

But her teacher, Earline Evans, says Monisha Moore, 7, has been accepted by the other second grade pupils and appears ot be happy. Monisha has been attending classes at the Cynthianna School for three weeks.

Bruce Moore, an employee of a Knoxville iron works plant, said he was not satisfied with Monisha's progress at the white school which she formerly attending by riding a bus 10 miles.

Sydney Gilreath, a member of the Sevier County School Board, said the community was upset but the board felt it best to "let the thing work itself out."

On mixing schools—

Negroes to appeal Memphis decision

By The Associated Press

An immediate appeal is planned of a Federal District Court judge's decision against a Negro suit demanding immediate desegregation of public schools in Memphis, Tenn.

A Justice Department spokesman said the government will file an intervening motion with the Appeals Court asking for a prompt decision.

In his ruling Friday, Judge M. S. Boyd said the court feels the Memphis Board of Education "is under a clear duty to . . . bring about an end of racial segregation. It has already done that as a matter of fact when they set up operations under the pupil placement law plan."

The 1957 Tennessee Pupil Assignment Law sets up 22 factors for assigning pupils to schools but does not mention race.

LAWYERS FOR 18 Negro children asked in the suit that the Memphis board's "policy of compulsory segregation" be enjoined. City attorneys agreed strict segregation is maintained in the school system but said the board itself has no responsibility to try to change this.

Legally speaking, the defense said, segregation must bo cinsidered voluntary because no Negro pupils have officially applied for assignment to schools for white pupils. When Negro lawyers produced pupils who had tried for reassignment, it was pointed out they had dropped their attempts before reaching the board level.

A special three-judge Federal Court at New Orleans continued until May 5 a NAACP suit challenging legality of a local option school election in St. Helena Parish (county), La.

The election will be held April 22. At that time voters will be asked if they want to abandon public schools rather than integrate them under Federal Court orders.

TEN NEGRO children failed in an attempt to have the U. S. Fourth Circuit Court of Appeals at Richmond, Va., order them assigned to Charlottesville schools largely attended by white pupils.

The Appeals Court upheld a lower court decision supporting a school board action. Applications of six Negroes were denied because they lived near Negro schools while four others were turned down on academic grounds.

The FBI at New Orleans said four FBI agents were sent into Claiborne County, Miss., to check reports of discrimination against Negroes seeking to register and vote. It was the fifth known Mississippi area to be investigated.

More Hearings Set on Mixing

NASHVILLE, Tenn. (UPI) — Further hearings are scheduled Jan. 10 on some of the issues growing out of Davidson county desegregation scheduled for the first four grades Jan. 23.

U. S District Judge Willia mE. Miller set the hearing Tuesday. The issues that will be heard include integration of personnel including teachers, relief for four plaintiffs who are not eligible to attend integrated schools and transfer requests required for Negro children wishing to attend an integrated school.

Since the court ordered desegregation is for the first four grades only during the first year, attorneys for the Negroes are asking the court to make exception for four plaintiffs whoare now in higher grades.

Attorneys for the Negroes are also asking that teachers and other school personnel also be desegregated, and they are asking the court to declare school board-required letters of transfer "null and void." Under the transfer provision a Negro student would have to present a letter seeking admission to a court-desegregated school.

Judge Declines To Desegregate School Teachers

NASHVILLE, Tenn. (AP) — A federal judge declined Tuesday to order the desegregation of Davidson County's public school teachers.

Judge William E. Miller recently ordered the start of desegregation in the county school system, after which a group of Negro attorneys asked Miller to order the desegregation of teachers, too.

In turning down the teacher request, Miller told Negro lawyers they might bring up the matter in the future.

50 Children To Mixed School In Tennessee

NASHVILLE, Tenn. — (UPI) — About 50 Negro children attended school with white children for the first time Monday, Jan. 23, in the county schools of Davidson county, Tenn., and a federal judge called for a speed-up in desegregation plans at Chattanooga.

Davison county, in which the state's capital city of Nashville is located, desegregated the first four grades to catch up with the city school system which began a "grade-a-year" plan of desegregation in 1957. The two systems will continue to desegregate one more grade each fall.

There were no incidents. Only about 400 Negroes in the county system were eligible to enter the previously all-white schools. In the city system, 187 Negroes are attending previously all-white classes.

At Chattanooga, on the Georgia state line, Federal District Judge Leslie R. Darr rejected the city school board's proposal to desegregate the first three grades of "selected schools" while keeping others segregated in areas where the populace is not ready for integration.

Darr ordered the board to submit another desegregation plan within 60 days "to expedite the constitutional rights of Negro students" and told the board members that "getting the people ready is not a plan of integration."

More Of Tennessee Schools Integrate

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Davidson County, in which the state's capital city of Nashville is located, desegregated the first four grades to catch up with the city school system which began a "grade a year" plan of desegregation in 1957. The two systems will continue to desegregate one more grade each fall.

In Chattanooga, on the Georgia state line, Federal District Judge Leslie R. Darr rejected the city school board's proposal to desegregate the first three grades of "selected schools" while keeping others segregated in areas where the populace is not ready for integration.

Darr ordered the board to submit another desegregation plan within 60 days "to expedite the constitutional rights of Negro students" and told the board members that "getting the people ready is not the plan of integration."

COURT KILLS CASES

Meanwhile, in New Orleans, a three-judge U. S. Appeals Court quashed two Alabama cases challenging the constitutionality of the 1960 Federal Civil Rights Act. The cases were concerned with demands by the Department of Justice to examine photograph voter registration records in Motngomery and Wilcox Counties

Judges Elbert Tuttle, of Atlanta; Warren Jones, of Jacksonville, and Sidney Mize, of Mississippi, affirmed the decision of the lower court "on the basis of the well-reasoned opinion by the trial court."

Alabama, in one case, challenged a federal court ruling that the Justice Department agents have a right to examine voting records. The state in the second case, tried to force the Justive Department to release complaints and correspondence on which the probe was based.

Judge Voids Chattanooga Mixing Plan

CHATTANOOGA, (AP)—A federal judge Monday called the city school board's plan for limited racial desegregation of the school system unacceptable, and called for a new plan to be submitted within 60 days.

Dist. Judge Leslie R. Darr ruled at the start of a scheduled hearing on a grade-a-year desegregation plan submitted by the board Dec. 20. He ruled without arguments from either side.

Negro attorneys had submitted a brief opposing the board's plan, which would have been effective at the start of the 1962-63 school year, in almost all its aspects. The judge did not rule out any future consideration of the original plan, parts of which he indicated would be acceptable.

His order in effect suspended an earlier injunction ordering desegregation of public schools here, but his statements made it clear that he wanted such desegregation to proceed as quickly as possible.

The judge said he believed that what he called reasonable integration should start in the whole school system and not a part of it, with definite information about the "how and time."

The board proposed to start desegregation with selected schools in the first three grades in the fall of 1962, and add an additional grade per year until all grades were desegregated through the 12th in 1971.

Judge Says Others To Mix, Also

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There were no incidents, Only about 400 Negroes in the county system were eligible to enter the previously all-white schools. In the city system, 187 Negroes are attending previously all-white classes.

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Darr ordered the board to submit another desegregation plan with 60 days "to expedite the constitutional rights of Negro students" and told the board members that "getting the people ready is not a plan of integration."

Negroes Enter County Schools In Tennessee

NASHVILLE, Tenn., Jan. 23 (AP).—School officials said fifty Negroe pupils enrolled for integrated classes in a dozen Davidson County schools today, as desegregation started under a Federal Court orden

E. E. Moss, County Superintendent of Schools, said the transition started smoothly and that no disturbances were reported at any of the schools. About 400 Negroes were eligible to attend previously all-white schools in the county.

District Federal Judge William E. Miller several weeks ago ordered the start of desegregation through the first four grades. City schools in adjacent Nashville have already integrated the first four grades. Both city and county schools will integrate one additional grade each year under the stairstep plan which has been in effect in city schools since 1957.

U.S. Pushes Tennessee Integration

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SCHOOL LOBBY SEEKS FEDERAL AID

By JOE HATCHER
Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

NASHVILLE, Tenn., Jan. 29—Tennessee officially joined the "school lobby" for federal aid to education the past week.

Gov. Buford Ellington and Commissioner of Education Joe Morgan petitioned the congressional delegation to support proposed federal aid for education under the Kennedy program.

The two officials were supported in the petition by the Tennessee Education Association, the Municipal League, the School Boards' Association, the Congress of Parents and Teachers and the County Services Association.

STATE OFFICIALS prefer federal aid for school construction and to supplement teachers' salaries but will gladly settle for aid to construction with the hope that local funds saved thereby can be devoted to more pay for teachers.

Gov. Ellington declared his hope for federal aid funds, pledged the state to match whatever funds were available and expressed hope that teachers could benefit thereby.

Indirectly, state officials have supported House Speaker Sam Rayburn's proposal to increase the Rules Committee and the appointment of Nashville's Rep. J. Carlton Loser to the committee—as an opportunity to get the federal aid bill to the House floor.

SEN. ESTES KEFAUVER sponsored the amendment in the Senate at the last session which directed the states to use such part as the state directed for teachers' salaries, but the bill died in the House Rules Committee.

B. Carroll Reece, the Republican "boss" in Tennessee, is one of the Rules Committee members at present, part of the coalition with Chairman Howard Smith and Rep. Colmer.

Tennessee also is listed for aid from the depressed areas bill for its mountain coal mining areas, if Congress passes the measure. It has taken steps to qualify for matching funds for drugs for the aged under the present law.

BRIEFLY . . .

Davidson County schools **quietly integrated 12 county schools with 41 Negro students** in the first four grades the past week. The four-grade integration in the county catches up with the city integration, and hereafter both will **integrate only one** grade per year. . . . U.S. District Judge Leslie Darr of Chattanooga **rejected the Chattanooga school board's proposal to integrate in "selected schools" only.** He ruled that there can be no such selection but did grant the board time for appealing his approval of the grade-a-year plan.

A three-judge federal court **deferred action on integrating the Memphis airport restaurant pending** a decision on the state law on restaurant segregation this week. Nashville and Knoxville airport restaurants have been desegregated for several years.

. . . FHA and Veteran Administration loans **will be exempted from the state's 6 per cent interest ceiling** under measures proposed in the legislature to permit the 6¼ per cent rate now prevailing. . . . A Jackson cab operator has charged **he was discriminated against by the city in favor of two Negro cab companies.** He is required to replace old cabs with new ones, while the Negroes are able to buy second-hand cars.

West Tennessee industrial leaders **list 36 new industries providing 3,882 new jobs, and 28 expansions adding 2,133 new jobs for the year 1960. New industry invested $5,207,000 and expansions $3,148,000.**

12-Month Term In Schoolroom Seen For State

Commissioner Morgan Also Urges T.E.A. To Back More Federal Aid

By REESE WELLS

Tennessee teachers were told yesterday that a longer work year may be in store for them.

This was the message from Joe Morgan, state commissioner of education, who addressed the Tennessee Education Association at its annual meeting in Ellis Auditorium.

A resolution of the Tennessee Legislature, which Mr. Morgan termed "of considerable significance," calls for a study of the feasibility of a 12-month school term.

Factors Are Cited

The resolution cited "the explosion of knowledge" which has added to subject matter that should be taught, the fact that our economy no longer requires employment of students in the summer and the waste of "heavy investment in capital outlay."

Another resolution, which Mr. Morgan described as a "storm center," urged Tennessee's congressional delegation to work for more Federal support of education.

Mr. Morgan endorsed the proposals of President Kennedy.

Some Danger Seen

"I must, however, agree with the arguments that there is danger that standards which may accompany Federal aid might come to serve as controls," he said. "I do deny, on the other hand, that such controls are inherent in Federal aid, or that they are inevitable."

T. E. A. members were urged by their executive secretary-treasurer, Frank Bass, to send telegrams or letters to the President and their congressmen.

"If you've never sent a telegram or written a letter to the President, do it now."

Life Magazine Rapped

Life magazine was rapped sharply by an Illinois educator, Dr. Lester Buford of Mt. Vernon, for its comparison of American and Russian schools.

Dr. Buford, former president of the National Education Association, said the magazine took a "bum out of Chicago school to depict American youth at study while using a higher type Russian student in the comparison.

With the weather turning sour overnight, the T. E. A.'s expected attendance of 6,000 failed to materialize. The 3,000 on hand reported in for professional sessions and other activities before last night's closing session, a concert by the All-State band, orchestra and chorus.

Segregation Suit To Be Presented

U.S. Judge To Hear Arguments To Integrate Schools

Federal District Judge Marion S. Boyd will hear arguments this morning on a suit seeking an end to segregation in city schools on the grounds that Memphis operates a bi-racial school system. Court opens at 9:30 a.m.

The suit was filed last March 31 against the Memphis Board of Education in behalf of 18 Negro children.

Negro attorneys were turned down Dec. 7 by Judge Boyd when they asked for a preliminary injunction barring continued school segregation. At that time attorneys for the School Board said Negroes had not exhausted the remedies under the Tennessee Pupil Placement Law.

The judge advised attorneys for both sides to give careful attention to what can be done under that law. It provides for assigning children to schools on the basis of where they lived.

The children's attorneys contend that Negroes living in predominantly white neighborhoods are being required to attend Negro schools.

White Girl In Negro School

SEVIERVILLE, Tenn. (AP)—A 7-year-old white girl has been enrolled in the second grade of a rural Negro elementary school.

Monisha Moore, daughter of Mr. and Mrs. Bruce Moore of near Strawberry Plains, has been attending Cynthianna School for Negroes for the past three weeks.

Moore said he enrolled his child in the Negro school because it is only one-quarter mile from the family home and also because he was dissatisfied with her progress in the white school to which she formerly rode 10 miles daily by bus.

Miss Earline Evans, second-grade teacher, said Monisha had been accepted by the other pupils and appeared to be happy. Monisha's father is employed at an iron works in Knoxville.

Negroes Lose Mixing Suit Plan Appeal

MEMPHIS, Tenn. (AP) — Negro lawyers Saturday mapped a quick appeal of a federal district court decision against their suit seeking immediate desegregation of Memphis public schools.

Judge M. S. Boyd issued his ruling from the bench Friday immediately after final arguments in the three day hearing. He said the 1957 state pupil assignment law already provides for integration in schools.

He agreed with the defense that, legally speaking, segregation in the school system must be considered voluntary because no Negro pupils had applied to the board of education for reassignment to white schools.

Dallas to integrate its schools in fall

The Afro American
Baltimore, Md.

DALLAS, Texas — The Dallas School District will desegregate schools in September without any further litigation. The district will follow the ruling of the U.S. Fifth Circuit Court of Appeals requiring desegregation starting in the first grade and progressing annually.

In so doing, the district is not further delaying matters by resorting to its sole remaining recourse — appeal to the Supreme Court.

* * *

IN LEXINGTON, Ky., attorneys for 25 colored children have filed suit in Federal District Court seeking the desegregation of a Knox County School in London.

The lawyers asked the court to dismiss the reply to the suit made by school officials. They claim the reply came after the 20-day deadline had expired.

In this answer, the board said none of the children had applied but would be admitted if they made application and met standard qualifications. The board claims that its schools are not segregated and that one of its schools, Rosenwald High School, is integrated.

* * *

IN MEMPHIS, Miss Gladys Dortch enrolled for a six-month class in cyto-technology at the University of Tennessee medical units in the city.

The first colored student enrolled in the course, Miss Dortch is a graduate of LeMoyne College and will work toward a post-graduate certificate in cyto-technology.

IN NEW ORLEANS, schools authorities have hit upon a way to meet a $1,895,000 payroll for teachers. Louis G. Riecke, president of the Orleans Parish School Board said that the school's bank account has a balance of $749,000 which along with an "accumulated fund" of $1,570,000 will be used to pay teachers and other school personnel.

The state legislature recessed without authorizing appropriation to meet teacher's salaries. It did authorize Rep. Bryan Lehman to sign checks on the $749,000 account "until the money is exhausted."

The coming payment will not include teachers at the two integrated schools — Frantz and McDonough 19. The state has not paid those teachers since last November. They have, however, been paid through gifts given by private individuals.

Ten white children and one colored child are at Frantz; three colored children are ot McDonough.

* * *

MEANWHILE, in Providence, R. I., things are looking better for the family of James O. Gabrielle which defied an angry mob to keep one daughter in the integrated Frantz School in New Orleans.

R. I. Gov. John A. Notte Jr. invited M. Gabrielle to the State House last week and extended "my tribute and the tribute of the people of Rhode Island to you and your family."

Mr. Gabrielle goes back to the State House this week to discuss local job possibilities with the governor. In New Orleans, he lost his job as a city water meter because he did not withdraw his daughter from the integrated school.

BACK IN LOUISIANA, attorneys for St. Helena Parish said that if the school system there was ordered to integrate, violence would ensue.

The warning was made by Duncan Kemp before a three-judge Federal Court which heard Louisiana's appeal in four school integration cases.

The state is appealing the order of U.S. District Judge J. Skelly Wright ordering desegregation of school systems in St. Helena and East Baton Rouge parishes and in state vocational schools at Shreveport, Greensburg, Natchitoches, Crowley, Lake Charles and Opelousas.

The three-judge court took the case under advisement without setting a date for a ruling.

* * *

A FEDEAL Court hearing is set this week in Richmond, Va., on the suit of South Carolina "Turks" to have their children admitted to public schools presently attended only by white children.

The children now attend a segregated school in Sumter County, S.C. The origin of the "Turks" is unknown but some surmise they are descended from Turkish pirates of many years back.

Like the Lumbee Indians in the area, the "Turks" consider themselves white.

* * *

IN ATLANTA, students at Georgia Tech were warned that if they staged any riots like those at the University of Georgia, they would be kicked out of school.

Four colored students have applied for admission to Georgia Tech. The school is already planning ways to handle the situation if the students should be admitted.

Two other colored students have applied for admission to Georgia State College, according to the director of admissions. He said the students "never completed entrance examinations or personal interviews because of a dealy in submitting additional requested material."

The school is under federal court order not to discriminate against applicants because of color.

* * *

ALSO IN ATLANTA, Georgia's governor urged that the state retreat from its position of "massive resistance" to school desegregation.

Gov. Ernest Vandiver recommended that the legislature enact laws allowing local communities to decide whether to desegregate; giving grants in aid to students who witrdraw from school because of integration, and an amendment to "guarantee freedom of association."

The legislature passed resolutions praising the University of Georgia faculty minority which refused to endorse a statement calling for the return of two colored students when they were suspended.

The legislature also asked that 13 white students, suspended for rioting at the university, be reinstated.

Galveston Set For Integration

The Montgomery Advertiser

GALVESTON, Tex. (AP) — A federal court Monday ordered Galveston to start integrating its public schools in September, one grade at a time. The schools would be desegregated completely by 1972.

U.S. Dist. Judge Ben Connally heard pleadings, evidence and arguments in a courtroom that nearly was empty during the non-jury trial. It had orginally been scheduled for a week from Monday.

Connally entered a similar order for Houston last summer. Both orders permit the free transfer of children, provided "the color or race of the student concerned shall not be a consideration."

Dr. Stephen Lewis, school board president, said he does not think the board will appeal. He pointed out that the U.S. 5th Court of Appeals in New Orleans already has upheld the Houston order.

Connally asserted that Texas laws prohibiting integration are unconstitutional.

Catholics to integrate schools in Texas

The Observer
Baltimore, Md.

HOUSTON, Tex., April 10 (AP) — The Galveston-Houston Catholic Diocese will integrate all grades in its elementary schools next Fall.

Bishop Wendelin J. Nold made the announcement yesterday.

Houston public school were integrated in the first grade last September and are to be integrated to the second grade this Fall. Galveston is under court order to integrate public schools in September.

That Which They Already Have May Be Taken Away

The Informer
Houston, Texas

Over the lone objection of Mrs Charles E White, the Houston School Board last Monday night voted not to accept any other Federal aid than that which the Houston Independent School District is now receiving from the Federal Government. The Federal funds now being used are in connection with the vocational education program in the Houston public schools.

Congressman Powell's Prediction

All of this has a definite relationship to a prediction which Congressman Adam Clayton Powell, chairman of the House Committee on Education and Labor, made when he was on the NBC televized program, "Meet The Press," last Sunday.

Congressman Powell said that he would never retreat from the principle of the "Powell Amendment", which he has been pushing for years, under which no Federal funds could be given to any state or subdivision of any state, where racial segregation or discrimination is practiced in the use of such funds.

After stating his "no-retreat" position, Congressman Powell said that he was hopeful and felt that he had reason to believe that President Kennedy would, by executive order, forbid the use of any Federal funds anywhere in the United States, where those funds would be spent upon projects in which racial segregation or discrimination would be practiced.

Congressman Powell stated that he would prefer to have the principle of the Powell Amendment implemented by executive order, but that, if it was not so implemented, he would continue to press for the adoption of the Powell Amendment, in all legislation providing for the expenditure of Federal funds.

So, since the Houston School Board is now strongly segregationist, it may be that even the Federal funds now being used for vocational education will be taken away, if President Kennedy issues the kind of executive order which Congressman Powell believes he will issue.

Certainly, the time will come one of these days when all powers of the Federal Government, including the powers of the Federal purse, will be used to help put down the vicious and evil practices of racial and religious segregation and discrimination.

Big Waste Seen In Bias At Schools In Houston

Atlanta World C8 Wed 12-6-61

Atlanta, Ga

"The waste in Houston is enormous" from school, job and social disadvantages imposed on Negroes, says a study released Sunday by the Southern Regional Council and the Houston Council on Human Relations.

The Houston report is the first of several employment studies the Southern Regional Council will issue on southern cities, under the general title, "The Negro and Employment Opportunities in the South."

The Houston study, based on a survey by Art Gallaher, Jr., Associate Professor of Anthropology and Sociology at the University of Houston, notes that Negroes suffer early from job disadvantages in public schools which deny them training for work not "appropriate" in the community which regards "menial labor — as 'Negro work' " and that discrimination bars them from good jobs, work for which they are skilled, and advancement.

"Negroes are our greatest undeveloped national resource," said Executive Director Leslie Dunbar of the Southern Regional Council; announcing the Houston Report, "The country cannot continue to shortchange itself in the development of the skills and talent of more than a tenth of its population. Nor can we continue to educate Negroes for jobs which we refuse to let them hold. The President's Committee on Equal Employment Opportunity has shown an understanding of the need for rapid progress. The urgency of the issue has led the House Committee on Education and Labor to schedule hearings across the country. We have begun this series of short studies in order to exhibit the dimension of the problem which the President's Committee, Congress, and the nation as a whole faces."

The study offers three typical case histories: a Negro engineer consigned to work as a garage clean-up man, despite a shortage of engineers in Houston; a young man trainend in chemistry, denied job after job as a much-needed laboratory assistant ;a young woman, the only Negro in Texas professionally trained as an interior decorator, who could obtain even so much as an interview with only one employer.

The study cites a few advances: a Negro lawyer on the U. S. District Attorney's staff;; some city process servers;; several sales clerks; ;equal job opportunity and desegregation in several unions. It also reports serious concern of the Texas Employment Commission over the Negro job situation and that the T. E. C. has desegregated its waiting room and staff.

Dallas Prepares To Avoid Being Another New Orleans

The Louisiana Weekly New Orleans La

Sat. 6-30-61

DALLAS, Texas - (Special to The Louisiana Weekly) - Preparing for the fall integration of public schools, this city has already begun preparations to prevent such outbreaks and mob actions as were witnessed in Little Rock and in New Orleans.

P. 1

A committee of top Dallas business leaders has outlined a year's work aimed at stopping any possible violence when city schools integrate next September.

Federal Courts have ordered the 127,000 student system integrated in the first grade this fall, but has permitted transfer rules giving the schools considerable leeway.

School authorities have not spelled out how many of the district's 151 schools will be integrated or how many Negro pupils will be assigned to formerly all-white schools.

According to Clarence T. Tatum, Jr., president of the Dallas Light and Power Co., a campaign is being carried on through top industries and businesses, the Dallas Medical Society, the Dallas Bar Association, the Salvation Army, labor unions, Negro leaders, and many other organizations to prevent any possible violence.

Tatum stressed that the committee is seeking to impress all residents with the viewpoint that:

1. Dallas is a law-abiding city, and the schools will integrate under Federal Court orders.

2. Persons who create violence because of integration are bad citizens.

Tatum said he understands that persons creating any violence near a school being integrated will be arrested immediately. He hopes Dallas citizens will approve the arrests.

Dallas police have made a two-year study of mob control, including studies of protest demonstrations in cities where schools have been ordered to integrate, he said.

14d(1) 1961

TEXAS

AUGUST
YORKTOWN, TEXAS
INTEGRATED RATHER THAN REMODEL SCHOOL

Texas Town Integrates Rather Than Remodel School

YORKTOWN, Texas — (ANP)— Faced with loss of acreditation unless the segregated Negro school underwent improvements to meet state standards, the voters of Yorktown Independent school system, voted, last week, to integrate their public schools.

Better than one-fourth of this DeWitt county district's 800 eligible voters cast ballots in a light turnout, with there being a nearly three-to-one vote to integrate— 166 to 64.

The election had been called by the board of education after the state education agency warned that improvements would have to be made in the Negro school, which had eight grades.

Only 27 Negro students are expected for this fall term. There were 37, last year, of the district's total of 800. However, 10 of the 37 were reported to have transferred to a Negro school in Cuero.

Estimated cost of the work necessary to bring the Negro school, here, up to minimum SEA requirements was set at $10,000, and would have necessitated a nine-cent tax increase.

14d(1) 1961

TEXAS

NOVEMBER

FORT WORTH, TEXAS--ORDERED TO INTEGRATE, FALL, 1962

Fort Worth Ordered to Integrate Public Schools Starting Next Fall

FORT WORTH, Tex., Nov. 9 (UPI)—United States District Judge Leo Brewster today ordered racial integration starting next fall in Fort Worth schools, the largest remaining segregated system in Texas.

Judge Brewster directed the Fort Worth school board to formulate a plan of integration and submit it for his approval within thirty days after his judgment becomes final.

The judgment will become final after all appeals are exhausted.

Cecil A. Morgan, attorney for the school board, said he had not talked with the board. But he said he assumed appeal would be made to the Court of Appeals for the Fifth Circuit in New Orleans.

In a separate action, the chairman of the University of Texas Board of Regents indicated he was ready to let the courts solve the board's integration problems at the school.

The board chairman, Thornton Hardie of El Paso, commented after a suit had been filed in behalf of three Negro students seeking to desegregate dormitories at the University of Texas.

Judge Brewster, in today's twenty page opinion, said the decision of the Supreme Court in 1954 on integration had made Fort Worth's dual system "unconstitutional."

Fort Worth, with a population of 356,268, is the largest city with a segregated public school system in Texas. Houston integrated its schools last year and Dallas integration came in September.

About 18 per cent of the public school students in Fort Worth are Negroes.

"Judgment will be entered ordering the submission by the deefndant school district within thirty days after this judgment becomes final of a plan for effectuating a transition to a racially nondiscriminatory school district to begin at the 1962 fall school term and to proceed with all deliberate speed," the conclusion of Judge Brewster's opinion said.

The National Association for the Advancement of Colored People sued the school board in 1959 in behalf of two Negro families who had tried to enroll their children in two white schools. They were not admitted.

Dallas Schools Plunge Into Racial Integration

The Christian Science Monitor

By Bicknell Eubanks
Staff Correspondent of
The Christian Science Monitor

Dallas

Desegregation of eight Dallas public elementary schools closes a chapter in local education which began in September, 1955. That was the year that Dallas Negroes made their first legal move to gain admission to the city's public schools on an integrated basis.

It marks the climax of a city-wide drive to eliminate racial segregation in many facets of Dallas life. It tests the city's careful planning to assure a peaceful beginning to the court ordered desegregation of its public schools.

[Eighteen Negro first graders Wednesday walked into classes in eight previously all-white schools without incident as Dallas integrated its school system for the first time, the Associated Press reported.

[School Superintendent Dr. White announced 15 minutes after classes opened that all 18 Negroes assigned to previously white schools were inside the schools.

[Dr. White said no incidents occurred.

[In Galveston, Texas, 35 Negro children also began classes without incident at previously all-white elementary schools.]

Dallas is beginning with the first grade and will add a grade each year on a "stair-step" basis until all 12 grades are fully integrated.

Smoothness Anticipated

There was a solid belief in advance that the transition Wednesday would be smooth and devoid of demonstrations by would-be agitators. This was the promise by Chief of Police Jesse Curry.

It was the culmination of plans which began to develop about a year and a half ago. That was when leaders of the community — school officials, business and professional men, Negroes, and law-enforcement agencies — began to map plans for this year's first step toward full integration.

In the 18 months during which the city had been prepared for the changeover, the single theme has been that desegregation is the law of the land and must be obeyed.

Spearheading this drive has been the Dallas Citizens Council, an organization made up of executive officials of leading business establishments of Dallas. The council has no connection with the White Citizens Council, a highly prosegregationist group which has expressed violent dislike for desegregation throughout the South by verbal and sometimes violent means.

From the pulpit, in the press, and over radio and television, the community has heard from leaders in every major profession, and from business and civic organizations, both white and Negro, to work together to make it an orderly process.

Crowds Checked

Police were put on the alert. No mass show of force was planned. The Negro first graders were to have no police escorts as they entered school. So careful have been the preparations, however, that police officials were sure that anyone who tried to "step out of line" soon would be aware of the presence of the police.

No crowds were to be allowed to gather anywhere in the vicinity of the schools that were being desegregated. Newsmen were permitted to observe from across the street. To facilitate news and developments from the several schools, the Police Department had a central information office in downtown headquarters. School officials also kept newsmen briefed. No newsmen were to be allowed inside the schools.

The eight schools being desegregated are in virtually every part of the city with a heavy Negro population.

There had been some concern that some Negro groups might organize sit-in demonstrations in schools not admitting Negro pupils.

Plans Denied

Negro leaders denied the reports.

W. J. Durham, Negro attorney who has handled much of the litigation for the pupils seeking integration, commented that "we want peaceful integration."

Many Dallas churches devoted special attention to getting their congregrations ready for desegregation. Dr. Luther Holcomb, executive director of the Greater Dallas Council of Churches, said that perhaps 75 per cent of the city's ministers mentioned peaceful desegregation in their sermons.

Dr. Holcomb himself appeared before both white and Negro congregations and expressed confidence that "citizens of both races will live this historic day with dignity and good will."

The Dallas school system was careful to protect the identities of the young first-graders until the last minute. Officials were reluctant even to give out the number of schools and Negroes involved. Estimates of the number of Negro pupils involved varied from about 15 to 24.

Dr. W. T. White, Superintendent of the Dallas School system, disclosed that he had held private conferences with the parents of the children. A school official pointed out that the children faced a double problem, that of going to school for the first time and of mingling with large numbers of white children on an equal basis for the first time.

"Either one alone would be a jolt to these young pupils," he said. "Getting a double dose means that we have to be doubly careful. We do not want them to think that they are doing anything out of the ordinary."

Dr. White said the schools were selected because they were in the area in which the pupils applied for transfer. There was no other criterion, he emphasized.

No Special Consideration

The police who were picked to handle the situation in the vicinities of the schools were told: "This is a problem for the police that is at once simple and complex. It is simple in that there is but one course of action for the department to follow: enforce the law as it is handed down. The problem is complex because of the emotional factors involved."

Chief Curry recognized the personal factors involved.

"Sometimes an officer of the Police Department may be called upon to enforce the law when such enforcement is directly contrary to his personal beliefs," the Dallas police were told. "Each person is entitled to his opinions, but when law enforcement is involved, personal views must be subordinated."

Dallas Follows Long-Range Plan To Adjust Citizens to Integration

The New York Times
Sun. 7-30-61 p. 32
New York Mg.

Negro and White Leaders Have Staged a Quiet Program for 18 Months to Prepare for School Desegregation

By GLADWIN HILL

Special to The New York Times.

DALLAS, Tex., July 29—This city, facing fractional integration of its schools in September, is determined not to become another Little Rock or New Orleans.

Against such an event, its civic leaders, white and Negro, have been conducting for sixteen months a quiet but far-reaching operation to accustom its citizens to a new order of race relations.

The program came to national attention last Wednesday noon when 159 Negroes walked quietly into forty stores and restaurants, including the world-famous Nieman-Marcus store, and lunched beside whites without incident.

This was not accidental. It had been planed on both sides. The episode was only the tip of a great iceberg of effort calculated to "change the face" of Texas, largest city as radically as any evolution in its history.

Concept Broadened

The home-grown program is unusual among the scores of souther cities that have been grappling with the United States Supreme Court's integration ruling of May 17, 1954.

Following are some of its features:

¶The concept of what is involved in 'school desegration' has been broadened to include many other spheres of life.

¶Publicity has been assiduously avoided to avert the crystalizing of hostile factions and to thwart agitators on both sides.

¶The operation has been kept a community affair, not connected with the numerous regional and national organizations involved in racial situations elsewhere.

¶The projection of any false facade of "togetherness" between white and Negro communities has been eschewed as self-defeating.

¶Great care has been given to timing in relation to public sentiment, this being considered vital to the operation's success.

¶The main bone of contention, segregation vs. desegregation has been sidetracked in favor of the more pressing question of law and order vs. violence.

129,242 Negroes

About one Dallas resident in five is a Negro. The national ratio is about one in ten. Dallas proper had 679,684 residents by last year's census, 129,242 of them Negroes. In its public school enrollment of about 140,000, one pupil out of six is a Negro.

Dallas is the last of Texas' big cities to yield on school integration. Racial separation has not been as rigid as in the Deep South, but custom has supported extensive discrimination. In big stores, for instance, try-ons and exchanges of intimate apparel have been off-limits to Negroes.

A school suit bought by the National Association for the Advancement of Colored People was finally decided against the city last April by the United States Circuit Court of Appeals. The court sanctioned a "stair-step" twelve-year desegregation program, starting with the first grade this fall.

But this outcome was expected a full year before by the 250-member Dallas Citizens Council (unrelated to the southern segregationist Citizens Council movement).

Unofficial Body

The Dallas Citizens Council is an unofficial body of the chief executives of about 250 of the city's largest business enterprises. It shapes civic policies through the simple circumstances that its members control most of the money that is the community's life-blood.

The council's present head is C. A. Tatum, the husky, urbane and genial president of the Dallas Power and Light Company.

Confronted early in 1960 with with the specter of the Little Rock, Ark. school rioting, the council approached the race problem from the standpoint that any violence would hurt both the white and Negro segments of the community commercially, psychologically and socially, and was to be avoided at all costs.

To avert it, a committee of seven council members headed by Mr. Tatum proposed to collaborate with a counterpart committee of Negroes. The Negro committee was created, as the representative of 125 Negro organizations, under the chairmanship of C. Maceo Smith, regional intergroup relations director for the Federal Housing Administration.

A mixed organization was avoided. The two committees have met as circumstances required to decide on concerted action. But each works only with its respective racial group.

Citizens Conditioned

Their basic idea was that the citizenry had to be conditioned to accept school desegregation as the law of the land, without exacerbation of old frictions on either side.

The keynote has been that "the program does not advocate integration, it does not advocate segregation; confines itself to the fact that Federal law decrees that the Dallas schools will desegregate and that the good citizen obeys the law."

The basic s rategy has been to depict any potential protesters in the role of law violators to appeal to the behavior-patterning upper layer of the community, and, in respect to the ignorant or implusive bottom layer, to pose bluntly the prospect of arrest.

The basic tactic has been to disseminate this message through civic clubs, religious bodies, the medical and bar associations, labor unions and employe groups. This has been done y personal contacts with organization leaders, supplemented by printed and filmed material.

Publicity Avoided

Two tenets have been to avoid publicity to prevent stirring up con troversy and to exclude personalities from the operation to avoid setting up targets. These ideas have been carried to the point where comments by participants in the operation are few and by request generally anonymous.

The N.A.A.C.P. whose name is anathema to many Texans for its leadership in the school litigation, agreed to leave things in civic hands. Its regional counsel, W. J. Durham, is on the Negro committee of seven, but is not an organization representative.

In seeking to establish a favorable climate of opinion, the twin committees soon found themselves smoothing out areas of racial discontent.

The Dallas Police Department was persuaded to shift Negro officers out of plain-clothes into uniforms where they could be recognized. Various forms of segregation in transit facilities were quietly ended. Employers were asked to reappraise their classification policies, resulting in some quick upgrading.

The State Fair Grounds, operating as an amusement park, was desegregated. Hotels have modified racial policies on mixed groups. It has been suggested to theatre operators and other entrepreneurs hat they might want to consider the trend and "travel with the wind behind you."

Barriers Eliminated

In recent weeks a number of stores and restaurants were persuaded to eliminate racial barriers. Wednesday's entering of restaurants in department stores was conceived as a clinching test of acceptance of the new mores, not on the part of the stores, which were collaborating, but on the part of their customers.

A major contribution on the Negro side has been to curb militancy, which in this particular situation would only rock a carefully constructed boat.

Since the operation got under way, Dallas has had a minimum of sit-in demonstrations. The Committee on Racial Equality reconnoitered the city recently and decided to leave it alone. Some Southbound Freedom Riders detoured it.

The conditioning operation is geared to a very detailed communications program shaped under the direction of Sam Bloom, an advertising man, with the collaboration of groups ranging from doctors, lawyers and ministers to psychologists at Southern Methodist University here.

Leaflets Distributed

This has included posters and leaflets distributed by the hundred-thousand reporting:

"Violence can destroy our city, ruin our schools, endanger your job."

"Public desegregation does no mean loss of personal freedom. No one in Dallas would try to tell you how to raise your family or handle your personal affairs."

A ten-minute film, "Dallas At the Crossroads," has also been used, being shown to both white and Negro groups.

In making the film, the usual idealized picture of community race relations was avoided. There is not a Negro in it, although there are shots of the Little Rock and New Orleans rioting, and a stern ending showing a man being put in a jail cell.

When shown to Negro groups, it is preceded by a 200-word statement that it was prepared mainly to emphasize to white people their responsibility. Negroes are left to infer their own.

For store desegregation, a manual was compiled, with the help of psychologists, for personnel from clerks to executives. It suggested exact words they should use in dealing with any complaints about desegregation.

"Avoid the terms 'store policy' and 'I'm sorry,'" it said. Complainers were asked to give their names and addresses so qualified store executives could telephone them an explanation.

Timing Emphasized

The over-all program was timed to culminate just about a month before school opening.

"We felt New Orleans' terrible mistake was deciding to integrate without having prepared the community for it," a spokesman explained. "But Atlanta stated its position too early. That triggered the extremists, and they've chosen sides."

The school opening date is Sept. 6. The Superintendent of Schools, Dr. W. T. White, said today that no one would know how many schools or pupils would be involved in the desegregation until the period for filing transfer applications Aug. 14 through 25.

Mr. Smith, the Negro committee head, said today that initially there had been the expected reservations in the Negro community that the program was a device for suppressing pressure for real integration. But he said the progress had already dispelled those misgivings.

'A Frank Appraisal'

"I think Dallas is in the position now to set some new standards in this field of intergroup relations," he said. "It's a new approach for the South—instead of protest, tackling problems by negotiation and counsel. It's not a window-dressing or shadow-boxing program, but a frank appraisal of what the Negro wants.

"The old interracial approach started with do-gooders, who often didn't have the necessary leverage in the community. This movement here started with the people at the top."

The white committee members, in addition to Mr. Tatum the Karl Hoblitzel and James W. Aston Jr., board chairman and president of the Republic National Bank; W. W. Overton, board chairman of the Texas Bank and Trust Company; John E. Mitchell, a cotton machinery manufacturer; Julius Scheppes, a liquor wholesaler; and Carr P. Collins, president of the Fidelity Union Life Insurance Company.

The Negro committee members, besides Messrs. Smith and Durham, are George Allen, president of the Great Liberty Life Insurance Company; Ed Reed, a tire dealer; the Rev. E. C. Estell Sr., president of the Interdenominational Ministerial Alliance; C. Jack Clark, an undertaker and spokesman for Negro fraternal organizations, and the Rev. Brooks Joshua, president of the Baptist Ministerial Alliance.

Home-Grown Plan For Integration

The Courier Journal

By GLADWIN HILL © 1961 New York Times News Service

DALLAS

THIS city, facing fractional integration of its schools in September, is determined not to become "another Little Rock or New Orleans."

Against such an event, its civic leaders, white and Negro, for 16 months have been conducting a very quiet but far-reaching operation to accustom its citizens to a new order of race relations.

No Incidents

The program came to national attention last week when 159 Negroes walked quietly into 40 stores, restaurants, including that of the chic world-famous Nieman-Marcus Company, and lunched alongside whites without incident.

This was not accidental, or even fortuitous. On both sides, it had been planned.

The home-grown program is unique among the scores of Southern cities that have been grappling with the United States Supreme Court's integration ruling of May 17, 1954.

These are some of its unusual features:

1. The conception of what is involved in school desegregation has been broadened to include many other spheres of life.

2. Publicity has been assiduously avoided, to avert the crystalization of hostile factions and to thwart agitators on both sides.

3. The operation has been kept a community affair, disconnected from the numerous regional and national "do-good" organizations involved in racial situations elsewhere.

4. The projection of any false facade of "togetherness" between white and Negro communities has been eschewed as self-defeating.

5. Great care has been given to timing in relation to public sentiment, which are felt to be critical to the operation's success.

6. The main bone of contention, segregation versus desegregation, has been sidetracked in favor of the more pressing question of law and order versus violence.

About one Dallasite in five is a Negro, twice the national average. Dallas proper had 679,684 residents by the 1960 census, and of these 129,241 were Negroes. In its public-school enrollment of about 140,000, one pupil out of six is a Negro.

Much Discrimination

Dallas is the last of Texas' big cities to yield on school integration. Racial separation has not been as rigid as in the Deep South, but custom has supported extensive discrimination.

A protracted school s[uit] brought by the National Association for The Advancement of Colored People was finally decided against the City last April by the U.S. Circuit Court of Appeals. The court sanctioned a "stair step" 12-year desegregation program, starting with the First Grade this fall.

But this outcome had been anticipated a full year before by the 250-member Dallas Citizens Council (unrelated to the Southern segregationist Citizen Council movement).

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The council approached the race problem from the standpoint that any violence would hurt both the white and Negro segments of the community commercially, psychologically and socially, and was to be avoided "at all costs."

'Conditioning' Idea

To avert violence, a committee of seven Citizens Councilmembers headed by Tatum proposed to collaborate with a counterpart committee of Negroes. This was created, as the representative of 125 Negro organizations, under the chairmanship of C. Maceo Smith, regional intergroup relations director for the Federal Housing Administration.

The basic idea was that the citizenry had to be "conditioned" to accept school desegregation as the law of the land.

"The program does not advocate integration, it does not advocate segregation," has been the keynote. "It confines itself to the fact that federal law decrees that the Dallas schools will desegregate and that the good citizen will obey the law."

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Policies Modified

Various forms of segregation in transit facilities were quietly ended.

Employers were asked to reappraise their classification policies, resulting in some quick up-grading.

Hotels have modified racial policies in respect to mixed groups. It has been suggested to theater operators that they might want to consider the trend.

In recent weeks a number of individual stores and restaurants were persuaded to eliminate racial barriers. Last week's "walk-in" to restaurants in department stores was conceived as a clinching test of acceptance of the new mores—not on the part of the stores, which were collaborating, but on the part of their customers.

The "conditioning" operation is geared into a very detailed "communications" program. This has included leaflets distributed by the hundred-thousand ("Violence can destroy our city, ruin our schools, endanger your job") and a 10-minute film being shown to white and Negro groups.

In making the film, the usual idealized picture of community race relations was avoided. There is not a Negro in it, although there are shots of the Little Rock and New Orleans rioting, and a stern ending showing a man being put in a jail cell.

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Associated Press Wirephoto

This is the picture Dallas is hoping to get as a result of its carefully prepared . . .

Milestones in Texas

Dallas Calmly Desegregates Schools, But New Sales Tax Is Hard to Take

By GLADWIN HILL

Special to The New York Times.

DALLAS, Sept. 7—A man stood at a drugstore counter here today methodically buying a dollar's worth of 10- and 15-cent items one by one, having the clerk ring up each transaction separately. That way he evaded Texas' first sales tax—3 per cent on transactions exceeding 25 cents. This was the sales tax's first week. Whether this be plausible to sociologists and historians or not, it was bothering more people than the desegregation of schools, which Dallas began Wednesday after five years of legal opposition.

The Talk of Dallas

Citizens had become either accustomed or resigned, during an extended civic educational campaign, to a changed racial pattern. But the sales tax descended on customers and clerks more abruptly. A lunch-counter patron in Houston, on seeing the tax on his check, flung a bottle of hot sauce at the waitress.

As with the schol desegregation, Dallas took quiet pride in manifesting more restraint than some other localities.

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DALLAS has one foot in the Old South and one in the West—it denies the aspersion of rival Fort Worth that it often has one in its mouth—to count for the ambivalence with which it fought desegregation strenuously, then acceded to it gracefully.

Its other racial patterns, with a population of 570,000 whites and 130,000 Negroes, are similarly contradictory. Public transportation facilities, stores and store-restaurants, among other fields, are free of racial distinction. But the big main railroad terminal, still "the depot," displays the traditional "White Cab Stand" and "Colored Cab Stand."

The Medical Association is integrated but the Bar Association is not. Some laundromats say "white only." Some motels proclaim "colored only."

Variant historical trends, impelled by Texas' sweeping deruralization and influx of Northerners, have produced countless other anomalies.

Texas' semi-prohibition—local-option dryness or at most only bottled-liquor sales—is generally ascribed to the waning hard-shell Baptists influence. But this has impelled beer saloons to institute feminine floor shows as business aids, making Dallas a major center of strip-teasery, the bluenoses notwithstanding.

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THERE are evidences that Dallas's Western, or twentieth century, orientation is ascendant. There was a time when anyone's allegation that a book was subversive—either of morals or Americanism—was virtually enough to condemn it.

Henry Miller's "Tropic of Cancer" has just been voluntarily removed from bookstore shelves, pending a possible court test of whether it comes under a new state law against "prurience."

But animated discussion of the question is in progress, with recognition that there are two sides, rather than just one. And Dallas's well-known literary critic and author, Lon Tinkle, is getting due hearing and considerable support on the anti-censorship side.

Dallas had a deep sense this week of rounding out an era. The school desegregation coincided with the death of Lynn Landrum, the lanky, scholarly and crusty Dallas Morning News editorialist and "Columnitator." Mr. Landrum had endeared himself to segments of several generations as the voice of thoughtful Texas arch-conservatism.

He coined the term "National Association for the Agitation of Colored People." He defended it earnestly on the ground that it summarized the misuse of a fine group of citizens in a constitutional encroachment on states' rights.

Mr. Landrum's death evoked a flood of condoling letters to The News, many suggesting that no one could ever really replace him. The feeling of others, as a differing interpretation of the Constitution prevailed at the doors of eight schoolhouses, was that perhaps time had resolved the problem of replacement.

Dallas Is Quiet As 18 Negroes Attend Classes

DALLAS, Tex. (UPI)—Eighteen Negro first-graders who began attending previously all-white schools last Wednesday returned to their classes Monday without incident, Dr. W. T. White, superintendent of the Dallas Independent School District, said.

Dr. White said principals from the eight schools which were desegregated reported the students were in classes.

Capt. Glen D. King, administrative assistant to Dallas Police Chief Jesse Curry, said police officers kept a close watch at the eight schools during the morning.

DALLAS MOVES TOWARD CALM SCHOOL MIXING

White, Negro Citizens Work for Peace

[N. Y. Times-Chicago Tribune Service]

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The program came to national attention when 159 Negroes walked quietly into 40 store restaurants, including the chic, world famous Nieman-Marcus company, and lunched along side white persons without incident.

It's a Planned Move

This was not accidental or fortuitous. On both sides, it had been planned. The episode was only the tip of a great iceberg of effort calculated to "change the face" of Texas' largest city as radically as an evolution in its history.

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These are some of its unusual features:

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Goal Is Law and Order

The main bone of contention, segregation versus desegregation, has been sidetracked in favor of the more pressing question of law and order versus violence.

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Stress Obeying Law

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End Transit Segregation

The Dallas police department was persuaded to shift Negro officers out of plainclothes into uniforms where they could be recognized. Various forms of segregation in transit facilities were quietly ended. Employers were asked to reappraise their classification policies, resulting in some quick up-grading. The state fair grounds, operating as an amusement park, was desegregated. Hotels have modified policies in respect to racially mixed groups.

A major contribution on the Negro side has been soft pedaling the militancy which is recognized as natural, but which in this particular situation is seen as only calculated to rock a carefully constructed boat.

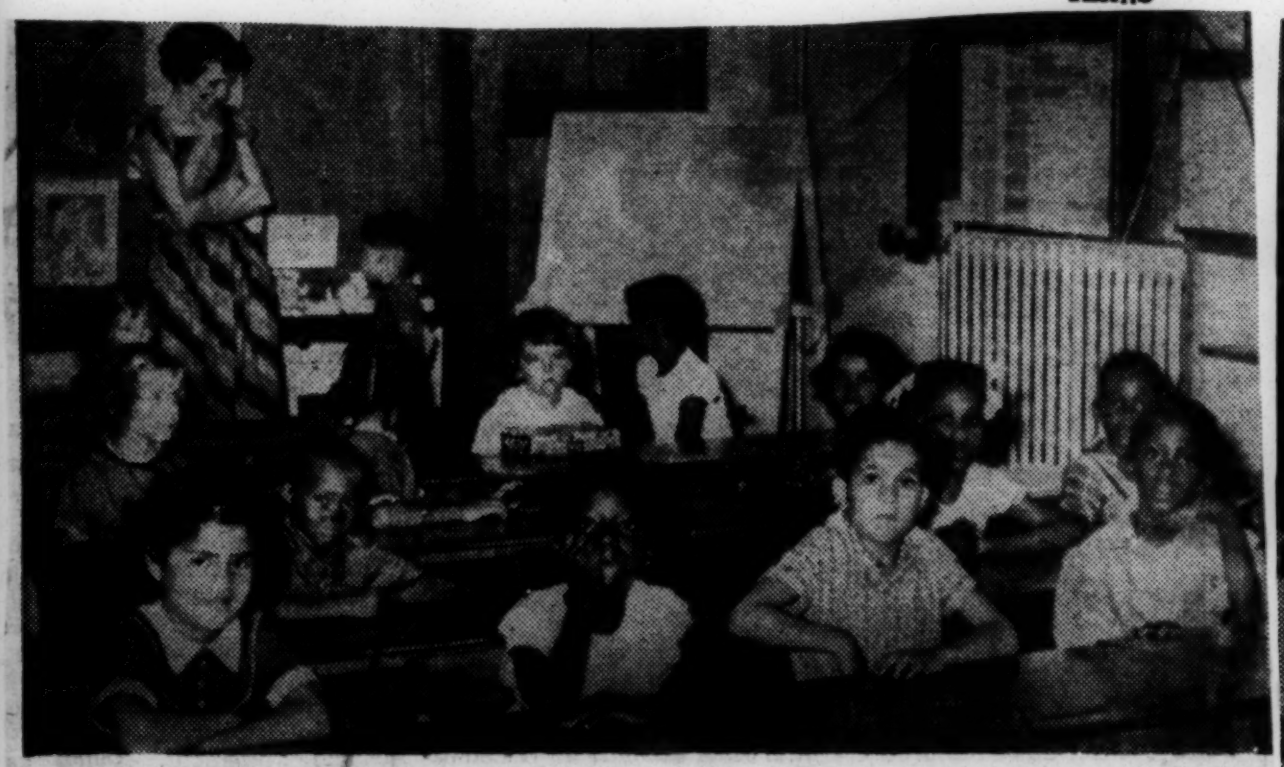
Few Dallas Children To Ask For Transfers

DALLAS, Texas. — Despite the refusal of the Dallas Board of Education to give out any estimates or the number of actual applications filed to date for entry into former all-white schools in September, informed sources say that present indications are that the number will not be in excess of twenty-five. Dallas schools are under court order to desegregate a grade each year beginning with the first grade in September.

Those close to the work of Negro committees seeking to explain the intricate procedure by which the transfers are to be made indicate that the amount of formal procedure needed to effect transfers will discourage many parents with children ready to enter the first grade. The application period set by the Board of Education ended last week with reportedly few applications having been filed.

One of the major hindering provisions set up by the Board of Education would automatically bar the registration of any pupil in the first grade who had a brother or sister attending an all-Negro school in an advanced grade. It was pointed out that few parents of very small children would choose to send them alone into a new and strange atmosphere when an older brother or sister could not accompany them.

The first step in the filing of an application for entry into the first grade of a formerly all-white school must be made to the principal of the Negro school to which the pupil would have gone under ordinary circumstances. The principal, after having examined the application then files it with the proper school officials who "check" it to see if it conforms to all the sixteen "factors" which school officials can use in either admitting or rejecting the applicants. It is expected that about 1,000 Negro children in Dallas will enter school for the first time this September.



INTEGRATED FIRST GRADE — Negro students began attending classes at three previously all-white elementary schools in Galveston, Tex., without incident. Alamo School, with 20 Negroes, had the largest part of the 37 Negroes who broke the racial barrier.

NAACP Cited for Big Role In Dallas School Mixing

The Courier -B 3 Sat 9-23-61
Pittsburgh Pa

DALLAS, Tex.—The important role of the NAACP in the success of Dallas public school desegregation was cited by Clarence A. Laws, Southwest regional secretary of that organization here.

Laws said, "As Dallas received the much deserved praises from leaders locally and over the nation for its peaceful desegregation of eight public schools . . . it should not be forgotten that without the continuing efforts of the NAACP, this could not have been possible.

"Acting in behalf of Negro parents, it was NAACP attorneys who won the court decision which ordered the schools here to be desegregated. Again, it was the NAACP which worked day and night with parents assisting them to meet the requirements set for transferring their children to desegregated schools."

Laws praised Mrs. M. A. Flana- "much praised interracial committee" which worked for peaceful desegregation of Dallas schools had its beginning when NAACP Executive Secretary Roy Wilkins was in Dallas on March 5, 1960.

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HE SAID that Mr. Wilkins met with business and civic leaders at the Dallas Times Herald office on that date and urged that such a committee be formed.

Laws praised Mrs.M. A. Flanagan, president of the Dallas branch and the NAACP Education Committee of which the Rev. H. Rhett James is chairman.

"Without the untiring efforts of this fine committee, school desegregation in Dallas would have been an unhappy failure instead of a glorious victory for human justice and decency."

Laws said that the NAACP had contacted with the parents of all of the 18 children approved for transfers to desegregated schools and that most of these parents had been given instructions and assistance by the NAACP.



FIRST DAY OVER—Zachariah A. Gilbert, 6, leaves Travis Elementary School in Dallas, Tex., after his first day of integrated classes. Eighteen Negroes were integrated into eight elementary schools.

Permission To Transfer Child Denied, Mother Says

The Informer
Houston, Tex. 9-23-61

HOUSTON — According to a statement submitted to a reporter Sunday by Mrs Claudia Williams, 4323 Heridge St, she has been denied permission to trassfer ner seven-year - old daughter from Burrus Elementary School to Charlotte B. Allen Elementary School.

Burrus is located approximately 17 blocks from the young housewife's home. Allen, according to her statement, is only eight blocks from her home.

Mrs Williams said when she submitted the application for a transfer Mrs Stella Collins, principal of Burrus declined to sign the application that had been "secured" at Allen Elementary.

NO AUTHORITY

Contacted Monday, Mrs Collins said she had no authority to sign the transfer. She refused to discuss the matter further than saying, in effect, "it was ridiculous that Mrs Williams had taken the matter to the newspapers."

She did say in a reluctant manner that Charlotte B. Allen had not been integrated, and after putting the brakes on her remarks referred the reporter to Dr McFarland

When contacted, Dr McFarland said the Williams child was not eligible for admission to Allen.

When asked what was the basis for the ineligibility, Dr McFarland asked the reporter what was his interest in the case. The reporter told him he was trying to get both sides of the situation.

SAYS SUPT

He then said he was in so position to discuss the matter with the reporter, and could only discuss it with the parents and those immediately involved.

Mrs Williams said she previously had a younger child in a public kindergraten school, but had withdrawn her and placed her in a private school.

RUDELY TREATED

Mrs Williams said she was rudely treated at Burrus and would never send her children there.

She said no legal action had been taken in the case, and that she only wanted her situation known by a fair public.

She admitted that there might have been some minor flaws in her initial efforts to save her from a 17-block walk twice a day but that they had been corrected.

A goup of neighbors assemble at Mrs Williams' home as she presented her signed statement. Some of them are also on the move to get their children transferred from Burrus to Allen.

32 Negro Students In All-White Schools

HOUSTON —With the admission of four Negro students to previously all - white schools Wednesday the total number was brought to 32.

Eleven of the 32 students were admitted this year, and indications are that they will be the final ones admitted this year. However, a motion that challenges the requirements of the Houston Independent School District for admission is pending in Federal Judge Ben C. Connally's court.

The requirements are:

1) A thorough medical examination and a certificate from a doctor saying they had no communicable diseases.

2) The usual birth certificate, smallpox vaccination and diphtheria shot required of all new first grade students.

3) If a transfer from a Negro school, a written recommendation from the principal of the school from which the pupil desires to transfer.

4) A WRITTEN recommendation from the principal of the school to which the pupil desires to transfer.

5) The written approval of the director of attendance, census and transfers.

Houston currently has four desegregated schools.

Attorneys for 12 children charged in a petition that the regulations regarding medical examinations, transfers and forcing all children in family to attend the same school were means of continuing segregation.

School board attorneys have denied the charges in their answer to the petition.

DALLAS NEGROES RECALL THE '27'

School Integration Plaintiffs Received No Benefits

By GLADWIN HILL
Special to The New York Times.

DALLAS, Sept. 8—Some Dallas Negroes saw irony this week in the dramatically calm commencement of racial desegregation in the public schools. They noted that the twenty-seven persons involved in the original move toward school integration here had received no benefit from it.

They were referring to Hilda Lee Borders and the twenty-six other Negro children who were technically the plaintiffs in the suit of Borders v. Rippy, which finally forced the country's largest remaining segregated school district to relax its racial barriers.

It was in September, 1955, sixteen months after the United States Supreme Court's integration decision, that the twenty-seven applied for admission to six high, junior high and elementary schools. They were rejected under a state constitutional segregation requirement.

On their behalf, the National Association for the Advancement of Colored People brought suit against Edwin L. Rippy, president, and other officials of the Dallas Independent School District.

Five Years Later

It was in culmination of this action that, some five years later, eighteen other Negro boys and girls entered eight previously all-white schools last Wednesday.

The integration, under a grade-a-year plan, applied only to the first grade. And the plaintiffs received no direct benefit.

The original twenty-seven have advanced in schooling to college, high school and junior high levels, gone to private schools, dropped out of schools, and left Dallas.

The irony was described by some Negro leaders as suggestive of the slowness of integration and of the ground remaining to be covered on the way to full racial equality.

"The eighteen children admitted to white schools represent only about 1½ per cent of the 3,100 Negroes who entered the first grade," Clarence Laws, fegional executive secretary of the N. A. A. C. P., remarked. "We feel that token integration is only token democracy."

Several Factors In Slowness

The small extent of the integration—comparable with that in other "stair-step" cities—is attributable to a number of factors.

There is the fact—true in the North as well as the South—that the general nearest-school attendance system automatically channels many Negroes into all-Negro schools because of Negro residential concentrations.

Also, Dallas, like some other cities, has the policy of assigning all children of one family to the same school, on both educational and transportational grounds. This has the effect of freezing the racial makeup of individual schools for some years hence.

The rule applies alike to Negroes and whites and therefore is nominally impartial. At the same time, in the present situation it has the effect of hindering execution of the Supreme Court's ruling, and N. A. A. C. P. lawyers have hinted that it may in due course be challenged.

Fort Worth Is Left

Dallas's integration start left neighboring Fort Worth, with about 360,000 persons, the only large Texas city still fully segregated. A suit by the N. A. A. C. P. is pending in its early stages, but Negro leaders are hopeful that the Dallas experience may hasten voluntary compliance there, in other Texas communities, and in other Southern cities.

Galveston also began integration Wednesday. Houston for the second year admitted eleven Negroes to bi-racial first-grade classes.

Numerically, the week's developments throughout the state did not appreciably change last June's figure of about 1.21 per cent of Negro pupils (about 3,500) actually in classes with white pupils, as calculated by the Southern School Reporting Service.

This is not a definitive gauge of integration, however, because there are many situations where other factors, such as population distribution and school locations, limit possibilities for bi-racial class rooms.

Out of a state-wide Negro enrollment of 288,553 last June (compared with 1,840,987 whites), 85,000 Negroes were in desegregated districts, the Reporting Service said. The last figure was increased by about 25,000 with the change in Dallas.

Only about half of Texas's 1,531 school districts have pupils of both races. Of the biracial districts, about 136 have been desegregated.

TEXAS TAKES LEAD IN DESEGREGATION

School Integration Proceeds Quietly in Southern States

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Sept. 9 — Racial desegregation has begun peacefully and in most cases voluntarily this year in the public schools of eight of the Oll South's eleven states.

With the opening of their fall terms, twenty-two districts admitted Negroes to previously white classes, according to the Southern Education Reporting Service. Eighteen in Virginia, Texas, North Carolina, Florida and Tennessee acted without direct court orders.

The most significant breakthroughs, however, came at the demands of Federal district judges. These occurred in Dallas and Galveston, Tex.; Newport News, Va., and Atlanta. The acceptance of nine Negroes by four white schools in Atlanta marked the first step in Georgia toward compliance with the Supreme Court decision of declaring school segregation unconstitutional.

Elsewhere in these states and in New Orleans and Little Rock, Ark., th process was extended to new schools in districts already affected. Alabama, Mississippi and South Carolina have yet to relent from positions of defiance.

Only in Texas is the number of Negroes attending classes with whites more than 1 per cent of the total state enrollmenrt of members of that race.

Sense of Inevitability

Nevertheless, the voluntary acceptanc of token desegregation underscored a growing recognition of the inevitability of compliance. At least in some cases, the motive was the fear that, by delaying action until a court order came down, schcools might be forced to enroll Negroes in more than token numbers.

The extension of desegregation was accomplished without the violence and disorder that has accompanied the step in the past. Some observers contended that this indicated that serious trouble over the issue might be largely averted in the future.

Events surrounding school openings in Atlanta, Dallas and New Orleans suggested strongly that, even in the Deep South, responsible leadership and community preparation can assure an orderly changeover.

Atlanta was the first city in the hard-core resistance area to begin desegregation peacefully. The step there followed probably the longest campaign for public acceptance ever conducted in the region.

This was a community-wide effort that received full support from city and education officials, business and professional groups, various civic and religious organizations and the press, radio and television.

Drive in Dallas

A similar drive of somewhat shorter duration was carried out principally by the business leaders of Dallas.

Many New Orleanians conceded that a virtual vacuum of leadership existed last Nov. 14 when two white elementary schools opened their doors to Negroes, marking the first desegregation in Louisiana and the Deep South.

There followed an effective boycott of the two schools, almost daily demonstrations by segregationists and one day of riotous outburst in the downtown area.

The resulting economic and social damage to the city, according to residents, brought a marked change in the attitude here. Another important factor was the work of Save Our Schools, Inc., a small group headed by Mrs. N. H. Sand.

Campaign Pushed

Prodded by S. O. S. and other organizations and their own concern over the effects of further disorder, the city's leaders cooperated in a campaign keyed to the theme of law and order. The problem was articulated in their rephrasing of the Mardi Gras slogan from "The City that Care Forgot" to "The City that Forgot to Care."

The results of these efforts became apparent Thursday. Twelve Negroes enrolled at six elementary schools with whites. The police quickly broke up a quiet demonstration by a handful of women. And there were no major incidents and no violence.

Although the amount of desegregation in this eleven-state area is relatively small, the opening of schools brought some marked increases in a few sections.

Statistics and estimates supplied by the Southern Education Reporting Service and correspondents of The New York Times showed that Texas led the way by increasing the number of Negroes in desegregated classrooms from about 3,500 to about 4,000.